

SCHEDULE OF AMENDMENTS

The amendments to the Selwyn District Plan are due to the following changes:

Name	Description
Plan Change 7	Growth of Townships (Resolution of Denwood Trustee's Ltd Appeal)
Minor Amendments	Various minor amendments included

Please amend your District Plan by updating the following pages:

Township Volume

Amendments from 30 August 2012 to 19 September 2012

Insert Pages

Front of Township Volume - Supersedes existing Certificate of Approval	Signed Certificate of Approval as of 19/09/2012
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Replace pages - Please recycle all pages removed

Contents	001 - 006
Alter page number for B4.4 to 102	Entire Chapter
Part A4 Finding Material In the Plan	
Amend Table A4.4 Description of Township Zones by adding and B to the A Zones under Zone Column and add or "B" after "A" in Description, pg A4-011	A4-011 – A4-012
Part B3 Peoples's Health, Safety and Values	
Amend Policy B3.2.3 by adding and 2B after existing text relating to Business 2 and 2A zones in Policy and first and second paragraphs of Explanation and Reasons, pg B3-016	B3-015 – B3-018
Amend 3 rd bullet point under Zones in Quality of the Environment – Strategy, adding 2B zone after reference to the Business 2 and 2A zones, pg B3-038	B3-037 – B3-038
Amend Policy B3.4.5 (a) and 1 st paragraph of Explanation and Reasons adding and 2B wherever Business 2 is referenced; and	B3-043 – B3-044
Add new final sentence to final paragraph of Explanation and Reasons Policy B3.4.5; and	
Add new final bullet point to Method	

Amend Policy B3.4.31 by adding 2B wherever the Business 2 and/or 2A Zone is referenced, including 2 nd paragraph of Explanation and Reasons, pg B3-059	B3-059 – B3-064
Amend Policy B3.4.35 by adding 2B wherever the Business 2 and/or 2A Zone is referenced, including adding new sentence at the end of 3 rd paragraph of Explanation and Reasons, pg B3-061	
Amend Policy B3.4.36 by adding 2B wherever Business 2 and/or 2A Zone is referenced, including Explanation and Reasons; and add new 3 rd bullet under Method, pg B3-062	
Amend Policy B3.4.38 Explanation and Reasons by adding 2B wherever Business 2 and/or 2A Zone is referenced, pg B3-063	
Amend 4 th and 8 th bullet under Quality of the Environment – Anticipated Environmental Results, pg B3-064	

Part B4 Growth of Townships

Amend 2 nd bullet Policy B4.3.9 and Explanation and Reasons, pg B4-039	B4-039 – B4-042
Insert new Policy B4.3.62, renumbering subsequent rules accordingly, pg B4-071	B4-071 – B4-104
Amend Rule B4.3.63 (old B4.3.62), Outline Development Plan Area 5, 3 rd , 4 th , 5 th bullets, and 1 st paragraph of Explanation and Reasons, pg B4-074	

Part C – Introduction to the Rules

Delete 2 nd paragraph under Deferred Zones	C-001 – C-002
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Part C4 Living Zone Rules – Buildings

Insert new Rule for Lincoln 4.9.26 after Setback from Lincoln Sewerage Treatment Plant, pg C4-012	C4-011 – C4-020
Amend Rule 4.13 Buildings and Streetscene – Permitted Activities, first sentence, change and to or , pg C4-020	

Part C12 Living Zone Rules – Subdivision

Insert new Rule 12.1.3.22, Lincoln, renumber subsequent rules accordingly, pg C12-005	C12-005 – C12-010
Amend Rule 12.1.5.1 as a consequential amendment from above, pg C12-026	C12-025 – C12-026

Part C13 Business Zone Rules – Status of Activities

Delete 2 nd paragraph of 13.1 Status of Activities	C13-001 – C13-006
Insert reference to Business 2A zone in Rule 13.1.1 (Clause 20A amendment)	Entire Chapter
Insert new Rule 13.1.2 and renumber subsequent rules accordingly, pg C13-001	
Amend Rule 13.1.11 (old number 13.1.10) by adding and 2B after reference to the Business 2 and 2A zones, pg C13-004	

Part C16 Business Zone Rules – Buildings

Insert new Rule 16.1.5 and renumber subsequent rules accordingly, pg C16-003	C16-001 – C16-016
Amend Rule 16.1.7 (old number 16.1.6) adding reference to new rule 16.1.5	Entire Chapter
Amend Table C16.2 adding and 2B in the Zone column, pg C16-006	
Insert new Rule 16.7.25 and renumber subsequent Rules accordingly, C16-009	

Amend references to rules in Rule 16.7.5 as a consequential change from renumbering

Insert new 3rd paragraph in Reasons for Rules – Landscaping

Insert new 4th paragraph in Reasons for Rules – Building Position

Part C18 Business Zone Rules – Utilities

Amend Note 5 changing LTCCP to LTP

C18-001 – C18-010

*Amend 18.2.1.1 (d) adding **and 2B***

Entire Chapter

Insert new (d) into 18.2.1.2, renumbering subsequent rules

*Amend 18.3.1.1 (c) adding **and 2B***

*Amend 18.5.1.1 (d) adding **2B***

Add new Rule 18.5.3, renumber subsequent rules accordingly

Amend Rule 18.5.4 (old number 18.5.3) by adding reference to 18.5.3

Part C20 Business Zone Rules – Hazardous Substances

C20-001 – C20-004

*Amend Rule 20.1.2 and 2.2.2.1 by adding **2B** after reference to 2A zone*

Entire Chapter

Part C21 Business Zone Rules – Waste

*Amend Rule 21.3.2.1 by adding **2B** after reference to 2A Zone*

C21-001 – C21-002

Part C22 Business Zone Rules – Activities

*Amend Rule 22.2.3 by adding **2B** after reference to 2A Zone*

C22-001 – C22-014

Insert new Rule 22.4.1.6 Business 2B Zone

Entire Chapter

Amend Rule 22.6.1.2 (c) adding reference to the Business 2B Zone

Insert new Rule 22.15 Cafes and Lunchbars within the Business 2B Zone in Lincoln

Appendix E37 ODP Lincoln

E37-001 – E37-002

Insert new ODP Area 5 with map and amend Contents

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Maps Folder

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Table A4.4 – Description of Township Zones

Zone	Description
Living 1	Areas that are managed to maintain environments that are most pleasant for residing in. Activities in Living zones have effects which are compatible with residential activities and amenity values.
Living 2	As for Living 1 Zone, but with lower building density and development reflective of the rural character expected of low density living environments. While generally adjoining existing living zones, in some circumstances, low density Living 2 Zones can be located on the edge of townships. Larger sections, more space between dwellings, panoramic views and rural outlook are characteristic of this zone.
Living 3	As for Living 2 Zone, but with specific controls and design elements incorporated to ensure development of the land is reflective of and retains elements of rural character expected of the Living 3 Zone, which in essence is a rural residential zone, so as to visually set the development apart from the neighbouring urban area. Similar to the Living 2 Zone, larger sections (with a lower building density than Living 2), more space between dwellings, panoramic views and rural outlook are characteristic of the Living 3 Zone.
Living X	Areas zoned as Living but not yet developed. The developer may choose the residential density for the zone, but it may not be more dense than that of the Living 1 Zone in the township.
Living Z	<p>New urban growth areas within or adjacent to the edge of existing townships. These areas are to be subject to an Outline Development Plan to ensure that good standards of urban design and connectivity with existing townships are achieved. The Living Z zone provides for a range of site sizes and living options, including lower density suburban areas and medium density small sections and townhouses. The Living Z zones, where an ODP is not operative in the Plan, are deferred until such time as an Outline Development Plan for the area is made operative in the District Plan and any phasing criteria has been fulfilled, including the adequate provision of infrastructure and servicing. Where the inclusion of an operative ODP is the only reason for the deferral, the deferral will be considered to be lifted upon an ODP becoming operative within the Plan. Where the deferral is dependant on separate phasing provision and/or the provision of infrastructure (as is the case with Phase 2 areas in Lincoln), they will remain deferred until 2021 and sufficient infrastructure is available.</p> <p>Medium Density areas shown on an Outline Development Plan are subject to the Medium Density rules, and any business areas shown on an Outline Development Plan are subject to the Business 1 rules.</p>
Business 1	Business 1 Zones have environments which are noisier and busier than Living zones, with more traffic, people, signs and building coverage. Business 1 Zones are still pleasant areas for people to live or work in, with good amenity/aesthetic values. They are also areas where higher density housing can be established as a permitted activity.
Business 2	<p>Business 2 Zones are areas where activities likely to be considered less pleasant by people are located. Aesthetic and amenity standards are less than those in Living or Business 1 Zones. Activities are still managed to protect natural resources and people's health or well-being.</p> <p>Activities likely to cause 'reverse sensitivity' issues are discouraged in Business 2 Zones e.g. residential activities.</p>
Business 3	<p>The Business 3 Zone includes Lincoln University and the research organisations located at Lincoln. The zone is a 'hybrid' of Business 1 and 2. Some activities in this zone are likely to be considered unpleasant by people. Activities are also likely to be sensitive to effects from activities that would locate in a Business 2 Zone. Reasonably high aesthetic/amenity values are desirable in the Business 3 Zone due to both:</p> <ul style="list-style-type: none"> – Its location, and – The number of customers/visitors to the site.
"A" or "B" Zones	A number of Living and Business zones have an "A" or "B" after the number, which indicates that the particular zone has some special rules or requirements. These special requirements are identified in the policies and rules for each zone.

The boundaries of each zone are either based on the existing character of an area or reflect a change in land use in accordance with an approved Outline Development Plan. The Plan was originally prepared on the basis that land was not zoned in anticipation of changes in activities and character except where:

- The zoning had been altered by a plan change; or
- The land was rezoned in the proposed plan 1995 and there was no resource management constraints on the proposed rezoning; or
- Zone boundaries were being rationalised; or
- It was appropriate to encourage a Business zone to consolidate in one area of a township.

The District Plan contemplated the use of private plan change procedures under the Act as the method by which to expand townships. Any person may request a plan change to rezone their land at almost any time. The plan contained a 'private plan change' or 'market-led' policy framework to guide decisions to rezone land, to ensure it promoted 'sustainable management'. The policy framework for rezoning land as Living or Business, and the Councils' reasons for using this method, are outlined in Part B, Section 4.3.

In order to address the issues arising from a continuing population growth rate and an absence of strategic planning in the provision of appropriate affordable infrastructure, including good connectivity and linkages through and between developments, and retaining the character of townships, the Council is now to take a directive role in determining where, and in what fashion, urban growth is to occur (i.e. a change from a 'market-led' to a 'community-led' approach).

In this respect, the Council has been involved in the development of the Greater Christchurch Urban Development Strategy, which is to provide a direction and planning framework for managing population growth and its impacts in the Greater Christchurch area (including Selwyn District) over the next 35 years (to 2041). The change to a community-led approach is being initiated through the preparation of structure plans for those larger townships within the Greater Christchurch area, including Lincoln, Rolleston and Prebbleton.

The Council also intends to adopt a strategic approach to managing growth in other townships in the district (outside the Greater Christchurch area). It will continue to manage the design and layout of subdivision, and the availability of services, within existing zoned areas and assessing any private plan change request to re-zone land for residential or business purposes against the relevant township policy framework, together with the broader objectives and policies of the Plan relating to the overall strategic provision of infrastructure, and the Selwyn Growth Model. This approach is to be applied until such time as a structure plan (or other strategic planning tool) has been prepared for these townships, either individually or collectively.

Some areas in townships which have been zoned as Residential, Commercial or Rural-Residential in the past have not retained these zonings in the Plan. This does not mean that these areas cannot be rezoned as Living or Business if there is a proposal to develop the area for these purposes and such development will not compromise the strategic growth of the township.

Arthur's Pass, Darfield, Springfield and Springston have areas of land which are no longer needed for their designated purpose, but do not have any new, proposed use. Those areas have been excluded from the respective township in the interim, except for an area at Darfield, which has been zoned a combination of Living 1, Business 1 and Business 2.

As with higher density residential areas, rural residential development is provided for through the Regional Policy Statement. Accordingly the District Plan specifically provides for rural residential opportunities as has long been the case in Selwyn District.

substances at those locations. In making those provisions, the Council recognises that the use, transport, discharge and disposal of hazardous substances are controlled by other statutory authorities through legislation and associated controls including the HSNO Act 1996; and through Environment Canterbury's Natural Resources Regional Plan.

HAZARDOUS SUBSTANCES – POLICIES AND METHODS

MANUFACTURE AND STORAGE

Policy B3.2.1

Ensure any potential risk of adverse effects on the environment from spills, leaks or other mismanagement of hazardous substances is avoided or mitigated.

Explanation and Reasons

Hazardous substances should be manufactured, stored and disposed of in ways that avoid significant adverse environmental effects should a leak, spill or other mismanagement occur. Policy B3.2.1 requires any potential adverse effects to be avoided or mitigated and is implemented using rules relating to the quantities and conditions for manufacturing, storing and disposing of hazardous substances at any site. Resource consents are required where specified threshold quantity limits for hazard substances are exceeded, and/or specific site controls or other performance criteria are not complied with. Activities that comply with the performance criteria and do not exceed the specified quantity limit thresholds have permitted status in terms of the hazardous substances rules of the Plan.

The threshold quantity limits in Part E, Appendix 9 are a convenient measure to use to distinguish between small-scale activities where effects are likely to be minor, and larger scale activities that require resource consent. The classification system used in the Appendix is based on the provisions of the HSNO legislation. The quantity limits have been established with regard to local conditions and requirements, and with due consideration to the HSNO controls, to national guidelines and procedures published and advocated by the Ministry of the Environment and the Environmental Risk Management Authority, to the Natural Resources Regional Plan, and to District Plans published by other territorial local authorities.

Some HSNO classes are not listed in Part E, Appendix 9 because they are not considered to have a significant hazard rating in the land-use planning context. In this case, no restrictions apply under the District Plan. However, many hazardous substances have more than one HSNO class or category. Where this is the case, the most restrictive class or category will be applied, as this recognises the possible extent of the health and safety risks associated with the substance.

When assessing compliance with the provisions of the hazardous substances rules and when considering applications for resource consents involving storage, use, disposal or transportation of hazardous substances, the Council will consider the types and quantities of hazardous substances and the adequacy of controls and conditions on the hazardous substances at the application site, the location of the substances relative to sensitive environments and natural resources, and the degree of risk of flooding or earthquake in the area of the site. The Council will also have due consideration of any controls imposed by other legislation. This will include but will not be limited to the provisions of the Hazardous Substances and New Organisms Act 1996 and Regulations (including test certification, approved handler certificates, controlled substances licences and codes of practice issued by or recognised by ERMA), the Natural Resources Regional Plan and resource consents issued by the Canterbury Regional Council, and the Health and Safety in Employment Act 1992.

The Council recognises that the use, transport, discharge and disposal of hazardous substances are also controlled by other statutory authorities through legislation and associated controls including the HSNO Act 1996; and through Environment Canterbury's Natural Resources Regional Plan.

Methods

District Plan Rules

- Hazardous Substances

Other Legislation

- To enable consideration of best management practices, relevant Codes of Practice, NZ Standards, and requirements of other regulations.
- To address specialist areas of health and safety

Regional Council Rules

- To control the discharge of hazardous substances

Policy B3.2.2

Avoid the manufacture, use or storage of large quantities of hazardous substances in Living or Business 1 Zones, unless potential adverse effects on people's well-being and the amenity values of these zones will be minor.

Explanation and Reasons

Living zones are areas with amenity values most compatible with residential activities.

Business 1 Zones are busier areas with larger-scale business activities than Living zones. They are also areas for high density residential activities, and areas which many people occupy for business and social activities.

Policy B3.2.2 does not prevent large quantities of hazardous substances being manufactured or stored in these areas, provided that those activities cause no more than minor adverse effects on amenity values.

Part E, Appendix 9 details higher quantity limits for Business 1 Zones than in Living zones. This is to reflect that larger volumes may be required as part of business activities carried out in these zones and can be accommodated without compromising the amenity values of such zones.

Method

District Plan Rules

- Hazardous Substances

Policy B3.2.3

Mitigate any adverse effects on the environment from the manufacture, use or storage of hazardous substances in Business 2, 2A and 2B zones or the Business 3 zone.

Explanation and Reasons

Business 2, 2A and 2B Zones and the Business 3 Zone are areas where manufacturing, use or storage of hazardous substances may be an integral part of some activities. These zones provide areas for these activities which may not be able to be located in Living or Business 1 Zones because of their effects. Other effects that may need managing include (but are not limited to) potential contamination of land; incompatibility of activities on adjoining sites; or offensive odours, discharges or dust nuisances.

Some Business 2 and 3 zones are located close to Business 1 or Living zones, therefore some management of hazardous substances is needed to accommodate the requirements of business activities whilst ensuring that adverse effects on people and activities at other sites and on the rest of the environment are avoided, remedied or mitigated. The threshold quantities in Part E, Appendix 9 for hazardous substances are therefore higher for Business 2, 2A, 2B and 3 zones, but are not unlimited, and site storage and location criteria also apply.

Method

District Plan Rules

- Hazardous Substances

TRANSPORT

Policy B3.2.4

Avoid transport of hazardous substances on the surface of waterbodies in watercraft, if there is an alternative vehicular access to the site by land.

Explanation and Reasons

A hazardous substance spilled into a waterbody can cause both immediate and delayed adverse effects to aquatic life and ecological, cultural, recreational and amenity values. Such a spill is also much harder to contain and clean up than when it is spilled on to land, and the effects may become widespread as contaminants are carried downstream or disperse on water surfaces. Policy B3.2.4 recognises that there is no need to risk transporting hazardous substances on the surface of a waterbody when there is alternative access to a site, over land. The corresponding rule does not apply to spare fuel for motorised water craft or hazardous substances found in the motor of such craft.

Method

District Plan Rule

- Transport of Hazardous Substances

Disposal

Policy B3.2.5

Avoid disposing of hazardous substances into sewage systems or on to land in townships.

Explanation and Reasons

Hazardous substances can contaminate land and leach into groundwater if they are not appropriately disposed of. Disposing of hazardous substances into sewage systems can affect the system by killing the bacteria used to break down and treat sewage. Land in townships is in close proximity to people and to activities which put people in direct contact with land – such as residential activities and outdoor recreation.

Note Disposal of hazardous substances does not include applying it in accordance with manufacturer's instructions.

Method

District Plan Policy

- To assess plan change requests to rezone land for new residential or business areas, to ensure adequate facilities are available.

Policy B3.2.6

Ensure parties who manufacture or store commercial quantities or concentrations of hazardous substances have the means to dispose of hazardous substances and their containers without adversely affecting the environment.

Policy B3.2.7

Work toward obtaining access to appropriate hazardous waste treatment and disposal facilities for residents and ratepayers of the District.

Explanation and Reasons

Under Policies B3.2.6 and B3.2.7, the Council will work with Environment Canterbury and other District Councils, to develop solutions for disposing of hazardous substances and hazardous waste, including empty hazardous substance containers. The Council will also encourage manufacturers and users of hazardous substances and generators of hazardous wastes to participate in identifying and developing waste disposal options.

Environment Canterbury, in conjunction with other local authorities including Selwyn District Council, has developed the Canterbury Regional Hazardous Waste Management Strategy for dealing with hazardous waste. It provides that basis for a co-ordinated region wide approach to the minimisation and management of hazardous waste. Under that strategy, facilities are being developed to receive and store domestic hazardous wastes from residents throughout Selwyn District.

Where potentially large quantities or concentrations of hazardous waste are being generated, the Plan rules require that party to submit a disposal plan for approval by the consent authority before establishing in the District.

Quality of the Environment, Amenity Values and The Act

Effects of activities on the pleasantness of an area, its environment and amenity values is a matter to be addressed as part of promoting sustainable management.

Promoting ‘sustainable management’ of natural and physical resources includes:

- “Enabling people and communities to provide for their economic, social and cultural well-being and their health and safety”, (section 5(2));
- “Avoiding, remedying or mitigating any adverse effects of activities on the environment” (section 5(2)(c)); and
- Having ‘particular regard’ to:
 - “The maintenance and enhancement of amenity values” (section 7(c)); and
 - “Maintenance and enhancement of the quality of the environment” (section 7(f)).

“Reverse sensitivity” is also a matter to be addressed as part of promoting sustainable management of natural and physical resources. “People” and “natural and physical resources” are part of the definition of “environment” in section 2 of the Act. Potential adverse effects of new activities on existing activities must be “avoided, remedied or mitigated” under section 5(2)(c) of the Act. Potential “reverse sensitivity” effects have been recognised by the Environment Court as an issue under the Act, in many cases.

QUALITY OF THE ENVIRONMENT – STRATEGY

The Township Volume of the District Plan uses the following basic strategy to address issues affecting environmental quality, amenity values and ‘reverse sensitivity’.

Quality of the Environment and Amenity Values

- The Plan uses zones to identify areas within townships which have a similar character and amenity values.
- The Plan policies and rules manage effects of activities in each zone, to maintain the character and amenity values of that zone.

Reverse Sensitivity

- The Plan identifies zones where activities which have nuisance or visual effects can be located.
- The policies and rules manage those zones to avoid activities which will be sensitive to the effects in that zone, from setting up in the zone and creating “reverse sensitivity” effects.

Zones

- Living zones have a character and amenity values most pleasant for living in (residential activities). The difference between Living 1 and 2 Zones is the residential density (section sizes).
- Business 1 zones are noisier and busier than Living zones. They are still pleasant areas for people to gather, live or work in, with good aesthetic values and few nuisance effects.

- Business 2, 2A and 2B zones have lower standards for aesthetics and nuisance effects, but people’s health and safety are protected. Activities in Business 2, 2A and 2B zones are protected from ‘reverse sensitivity’ effects.
- The Business 3 Zone accommodates effects from research and education activities at Lincoln. These activities have some effects that are characteristic of Business 1 and 2 Zones. They have activities that will create adverse effects, but may also be sensitive to effects of other activities characteristics of Business 2 zones.

Please refer to Part A, Section 4.5 (Townships and Zones) for more information on zones in the District Plan.

QUALITY OF THE ENVIRONMENT – OBJECTIVES

Objective B3.4.1

The District’s townships are pleasant places to live and work in.

Objective B3.4.2

A variety of activities are provided for in townships, while maintaining the character and amenity values of each zone.

Objective B3.4.3

“Reverse sensitivity” effects between activities are avoided.

Objective B3.4.4

Growth of existing townships has a compact urban form and provides a variety of living environments and housing choices for residents, including medium density housing typologies located within areas identified in an Outline Development Plan.

Objective B3.4.5

Urban growth within and adjoining townships will provide a high level of connectivity both within the development and with adjoining land areas (where these have been or are likely to be developed for urban activities or public reserves) and will provide suitable access to a variety of forms of transport.

Explanation and Reasons

Townships in the Selwyn District are pleasant places to live and work in with, generally, low levels of pollution or nuisance effects and high aesthetic and amenity values, compared with metropolitan areas. Objective B3.4.1 is to maintain this quality of the environment.

Many townships in the District often have a variety of activities intermixed, rather than separated into residential and business areas. The small scale of many activities means this mixing can occur without creating adverse effects. Objective B3.4.2 recognises and provides for this land use pattern, provided potential, adverse effects are managed.

Policy B3.4.5

- (a) **To provide Business 2 and 2B Zones with few requirements for aesthetic or amenity values, but which have sufficient provisions: to safeguard people's health and well-being and to avoid pollution of natural resources or potential 'reverse sensitivity' effects.**
- (b) **To provide a Business 2A Zone which can cater for business activities requiring large footprint buildings and/or sites but which have sufficient provisions to safeguard people's health and well-being and avoid pollution of natural resources or potential 'reverse sensitivity' effects.**

Explanation and Reasons

Business 2 and 2B Zones are areas where activities may be able to locate that have effects which are incompatible with the character or amenity values of Living, Business 1 or Rural Zones. Activities which may be sensitive to these effects, such as residential activities, are managed in Business 2, 2A and 2B Zones to avoid potential 'reverse sensitivity' issues. Business 2 and 2B Zones tend to adjoin or be close to townships, so effects of some activities still need to be managed or may be inappropriate in Business 2 Zones. The Rural (Outer Plains) Zone may be an alternative location for "rural-based" industrial activities. The Business 2A Zone does not adjoin any residential area and as such caters for a larger scale of activities than other Business 2 Zones.

In the case of Rolleston the Business 2A Zone is surrounded by rural zoned land with the nearest Living Zone being located on the southern side of SH1 and the South Island Main Trunk Railway Line. A rural residential enclave (Armack Drive) exists to the west of the Business 2A Zone (beyond Railway Road and the Midland Railway) and this has been recognised in the development controls that apply along the western boundary of the Business 2A Zone.

The Business 2A Zone at Rolleston provides for a range of business activities in particular those requiring larger allotment sizes with good access to State Highway 1 and/or the Main Trunk Railway Line. In this regard this zone has an important role in the economic prosperity of the Greater Christchurch area as well as providing significant employment opportunities for Selwyn District residents.

Business 2 Zones currently exist at: Leeston, Rolleston, Darfield and Coalgate. The Business 2A Zone exists at Rolleston. The Business 2B Zone exists at Lincoln.

Method

District Plan Rules

- Business 2 Zone
- Business 2A Zone
- Business 2B Zone

Policy B3.4.6

To provide a Business 3 Zone to accommodate specialist agricultural research, education and associated business activities in surroundings that maintain the environmental quality needed to undertake these activities; and avoids potential 'reverse sensitivity' effects with other activities.

Explanation and Reasons

The effects of some of the research and business activities in Lincoln are unique in the Selwyn District. The activities often have effects that residential or other business activities may be sensitive too. On the other hand, these same activities may also be sensitive to effects from other activities, such as those typical of Business 2 Zones. Therefore, the Plan has created a specialist zone providing the character, quality of the environment and amenity values demanded by these activities.

Some of the rules for the Business 3 Zone list types of activities rather than effects. The reasons are:

- The specialist nature of this zone means that it is more efficient to describe activities than effects.
- Many of the effects being managed are difficult to write as rules.
- Pursuant to section 94 of the Crown Research Institutes Act 1993, all CRI activities in this zone are permitted activities.

Method

District Plan Rules

- Business zone

Policy B3.4.7

To recognise parts of the Rural zone around a township as an alternative area to locate certain activities which cannot locate in Living zones due to adverse effects, and there is no appropriate Business zone.

Explanation and Reasons

At present many townships in the Selwyn District do not have Business zones because they do not have areas with this character. This does not preclude future businesses from locating in these townships. As discussed in the 'explanation' to Policy B3.4.3, many small scale businesses can locate in Living zones. Where a business will have effects that are incompatible with the character of a Living zone, that activity may be able to locate in the Rural Zone around the township. The Rural Volume of the Plan, recognises the Rural Zone as a low population density area, providing for activities that need space to operate or to mitigate their effects. There are parts of the Rural Zone that have special landscape, ecological or amenity values, and areas where natural hazards or 'reverse sensitivity' effects may occur. Any particular site within the Rural Zone would need to be appropriate for the proposed activity.

This policy does not apply to "rural-based" industrial activities of a size and scale beyond that permitted by the District Plan within the Rural (Inner Plains) Zone around existing townships, given that the effects of these types of activities may be incompatible with the higher population density and smaller allotment sizes in this area, compared to that of the Rural (Outer Plains) Zone. Similarly, this policy does not apply to that of the Rural (Outer Plains) Zone. Similarly, this policy does not apply to "other" types of industrial activities (being those not directly associated with the rural area). The effects associated with "other" types of industrial activities (being those that are not directly associated with the rural area) may detract from the amenity values of all parts of the Rural Zone and are therefore encouraged to locate within Business 2 Zones only.

- Relocated buildings can be an efficient use of physical resources, which is a matter to be considered in promoting sustainable management under section 7(e) of the Act.
- If a particular developer wishes, he/she can use mechanisms outside the District Plan to prevent relocated buildings within a particular subdivision.

The Plan rules do not apply in the Business 2 and 3 Zones. Incomplete relocated buildings are less likely to affect the aesthetic and amenity values in Business 2 and 3 Zones, than in Business 1 and 3 and Living zones.

Relocated building is defined in Part D of the Plan. It does not include new buildings or parts of new buildings designed specifically for the site, but built off-site and transported to it.

Method

District Plan Rules

- Relocated Buildings (Living, Business 1 and Business 3 Zones)

LANDSCAPING AND AMENITY PLANTINGS

Policy B3.4.30

Encourage sites in Living and Business 1 Zones to maintain a landscaped area along the road frontage of the site.

Policy B3.4.31

Encourage sites in Business 2, 2A and 2B Zones and the Business 3 Zones which adjoin a road to have the road frontage of the site landscaped or screened.

Explanation and Reasons

Living and Business 1 Zones are areas where people live and work. Tidy sites with gardens, lawns or sealed grounds help to maintain the aesthetic values of these zones and make them attractive places to live.

In Business 2, 2A and 2B Zones and the Business 3 Zone the Plan places less emphasis on aesthetic values as Living and Business 1 Zones. When sites in these zones are located adjacent to roads, untidy yards can affect the amenity values of the township and peoples appreciation of the place as a 'nice' area to live.

Policies B3.4.30 and B3.4.31 are implemented using two methods. A rule for some landscaping or screening applies to new activities. The rule only relates to the area between the buildings and road frontage of any site. The Council also encourages local business groups and township committees to develop voluntary programmes to 'spruce up' business areas.

When implementing amenity planting adjoining roads, consideration should be given to selecting plants that do not obscure visibility for vehicles entering or leaving the site.

Methods

District Plan Rule

- Landscaping or Screening (Business zones)

Advocacy

- Encourage township committees and business groups to develop plans or programmes to 'spruce up' business areas.

Policy B3.4.32

Encourage people who are developing or redeveloping sites in townships to retain trees, bush or other natural features on the site, as part of the new development.

Explanation and Reasons

Policy B3.4.32 recognises that trees, bush and other natural features can add to the amenity values of a township, even when on private land and only able to be admired from across the fence. Policy B3.4.32 encourages landowners to keep such features when developing their sites. The features addressed in Policy B3.4.32 do not include trees, bush or sites which are formally protected for their heritage, cultural or ecological values in the District Plan. These features are provided for in Part B, Sections 1.3 and Part B, Section 3.3 of the Plan. The LTCCP Development Contribution Policy allows for consideration of retained trees and vegetation as a credit towards development contributions for reserves.

Methods

Advocacy

- Suggest to people undertaking activities that they retain existing trees and bush on the site

LTCCP

- Development Contribution Policy

LAKE COLERIDGE VILLAGE

Policy B3.4.33

Encourage the maintenance or enhancement of green areas, plantings and walkways which add to the amenity values of Lake Coleridge Village.

Explanation and Reasons

Lake Coleridge Village includes extensive grass areas, walkways and a mix of exotic and indigenous trees and bush. These features give the village particularly attractive surroundings, as well as providing shelter from north-westerly winds. New activities in the village are encouraged to both utilise, and help maintain and enhance these features.

Methods

Advocacy

- Encourage people to continue to use and develop the walkways, green areas and plantings.

LTCCP

- Development Contribution Policy

District Plan Rules

- Subdivision – encourage walkways and green spaces in subdivision layouts, provided they are 'cost effective' to maintain.

REVERSE SENSITIVITY EFFECTS

Policy B3.4.34

Encourage Business 1 Zones to be consolidated into one area in each township, or into two areas in townships which may grow large enough to support two separate business areas.

Policy B3.4.35

Encourage Business 2, 2A and 2B Zones to be consolidated in one area, in each township.

Explanation and Reasons

If each Business zone in a township is consolidated in one area it:

- Reduces the number of boundaries between residential and business areas and associated potential for 'reverse sensitivity' effects.
- Enables a zone to be created where the quality of the environment and amenity values reflect the requirements of business activities.

Business zones are provided for activities which have effects that will detract from the amenity values of Living zones. If several, small Business 1 or 2 Zones are 'scattered' throughout a township, then there is much greater potential for adverse effects and 'reverse sensitivity' issues than if the activities are clustered into one area.

In the case of the Business 2A Zone this exists in one discrete location at Rolleston, and is well separated from any Living Zones. In the case of the Business 2B Zone, this exists in one discrete location at Lincoln, and a 50m buffer from the Living Z Zone will be created.

Policy B3.4.36 has an exception for larger townships which, may grow large enough to support two, separate Business 1 Zones within the next 20 years.

Method

District Plan Zones

- Area identified as Business zones in District Plan
- To assess plan change requests to rezone land for new Business zones

Policy B3.4.36

Avoid establishing activities in Business 2, 2A and 2B Zones or the Business 3 Zone at Lincoln, which are likely to be sensitive to the effects of other activities in the zone, unless any potential for 'reverse sensitivity' effects will be minor.

Explanation and Reasons

The activities which are accommodated in Business 2, 2A and 2B Zones and the Business 3 Zone at Lincoln may have effects which are incompatible with other activities. For example, in Business 2, 2A and 2B Zones the visual effects of sites; vibration from heavy vehicles; dust from the stockpiling of materials; or noise from machinery, may be incompatible with residential activities, other forms of accommodation, schools or restaurants. In the Business 3 Zone, odour from livestock or fertilisers, chemical sprays, noise and heavy vehicles are some of the effects which may be incompatible with residential activities, other forms of accommodation or restaurants.

The Business 2, 2A, 2B and 3 Zones are created specifically to accommodate activities which have these effects away from the activities which they can potentially affect.

Method

District Plan Rules

- Business 2 Zone
- Business 2A Zone
- Business 2B Zone
- Business 3 Zone

Policy B3.4.37

Where Living zones and Business 2 Zones adjoin, ensure any new activity occurring along the boundary in either zone, includes measures to mitigate any potential 'reverse sensitivity' effects on existing activities.

Explanation and Reasons

Business 2 Zones are encouraged to be separated from Living zones where possible. Existing land use patterns mean many Business 2 Zones adjoin Living zones along at least one boundary, and some adjoin Living zones on two or three boundaries. Policy B3.4.37 requires new activities which locate on sites along these boundaries, whether they be in the Living zone or the Business 2 Zone, to include measures to reduce potential effects on existing activities on sites along the boundary. This includes potential 'reverse sensitivity' effects from new residential activities in the Living zone existing activities on adjoining sites in the Business 2 Zone.

Examples of such measures include, but are not limited to, landscaping and screening of sites to reduce visual effects, greater setback distances for buildings from property boundaries or building line restrictions, the use of larger sections, roads or walkways along the zone boundary to act as 'buffer zones', or bunding landscaping.

Methods

District Plan Policy

- To assess plan changes to rezone land for new Living or Business zones

District Plan Rules

- Subdivision
- Setbacks from boundaries (Business 2 Zones)
- Setbacks from boundaries (Living zones)

Policy B3.4.38

Avoid rezoning land for new residential development adjoining or near to existing activities which are likely to be incompatible with residential activities, unless any potential 'reverse sensitivity' effects will be avoided, remedied or mitigated.

Explanation and Reasons

Rezoning land for new residential development around townships should not create 'reverse sensitivity' issues with existing activities in any zone. Policy B3.4.38 does not preclude rezoning of land for residential development adjoining Business 2, 2A and 2B Zones or sites in the Rural Zone which have activities with incompatible effects provided appropriate methods are used to address potential 'reverse sensitivity' issues. Appendix 14 suggests information on activities in the surrounding area be included with any plan change request to rezone land.

Method

District Plan Policy

- To assess plan changes to rezone land for new residential development

Policy B3.4.39

To recognise the special characteristics of the Rakaia Huts settlement based on the existing quality of the environment, character and amenity values.

Explanation and Reasons

The majority of the Rakaia Huts have developed in an ad-hoc fashion over a number of years. The area is a historic fishing settlement that has evolved into residential areas with some permanent, semi-permanent and holiday accommodation. The land on which the huts are located is susceptible to flooding from the Rakaia River. The tenure of the land has been an issue in the past, and has been addressed to an extent by the Council and occupants. Rationalisation of land tenure and restrictions on future development options due to flooding has been provided for in this plan.

Method

District Plan Rule

- Natural Hazards Area (Living zone)
- Subdivision

QUALITY OF THE ENVIRONMENT — ANTICIPATED ENVIRONMENTAL RESULTS

The following environmental results should occur from implementing Section B3.4:

- Townships develop with zones of distinctive character.
- Living zones maintain a quality of the environment and amenity values compatible with residential areas.
- Most new residential activities occur in Living zones, with some higher density living areas in Business 1 Zones.
- Any new residential activities in Business 2, 2A and 2B Zones or the Business 3 Zone are ancillary to other activities in the zone.
- Increases in the variety of small scale businesses and other non-residential activities in Living zones.
- Business 1 Zones have more variety in activities and associated infrastructure.
- Business 1 Zones are attractive places for people to visit, work in or reside in.
- Lower standards of aesthetic and amenity values are maintained in Business 2, 2A and 2B Zones.
- The Business 3 Zone remains dominated by specialist research, education and associated activities.
- No increase in ‘reverse sensitivity’ issues in townships.

QUALITY OF THE ENVIRONMENT — MONITORING

Please refer to Part E, Appendix 1.

- **Identify any cultural (including tangata whenua values), natural, and historic or heritage features and values and show how they are to be enhanced or maintained;**
- **Indicate how required infrastructure will be provided;**
- **Set out the phasing and co-ordination of subdivision and development in line with the phasing shown on the Planning Maps and Appendices;**
- **Demonstrate how effective provision is made for a range of transport options, including public transport systems, pedestrian walkways and cycleways, both within and adjoining the ODP area;**
- **Include any other information which is relevant to an understanding of the development and its proposed zoning;**
- **Demonstrate that the design will minimise any reverse sensitivity effects.**

Explanation and Reasons

The preparation of an Outline Development Plan requires consideration and inclusion of many aspects, particularly the location of low and medium density housing areas, layout of infrastructure and compatibility and connectivity with surrounding land uses. The phasing and general co-ordination of development is also an appropriate consideration for detailing how the ODP will be implemented.

Method

District Plan Rules

- Subdivision

District Plan Maps

- Identify ODP Areas

Medium Density Design Guide

Subdivision Design Guide

Policy B4.3.9

The phasing of any Living Z Zone shown on the Planning Maps and Appendices occurs as follows:

- **In Rolleston 11 Living Z areas have been identified, and an Outline Development Plan for six of these areas have been incorporated into the District Plan. The remaining five Living Z ODP Areas have been deferred. The deferment for four of these areas shall be lifted once an operative Outline Development Plan for that area has been incorporated into the District Plan. The fifth ODP Area (ODP Area 11) deferment shall be lifted in 2021, provided adequate infrastructure and servicing is available and an operative Outline Development Plan for this area has been included in the District Plan.**
- **In Lincoln six Living Z areas have been identified, and an Outline Development Plan for each area incorporated into the District Plan. Four of these Living Z ODP areas include a**

portion that is deferred. The deferment of these areas shall be lifted in 2021 (except for ODP Area 5 when the deferment shall be lifted in 2017), provided adequate infrastructure and servicing is available and an operative Outline Development Plan for the stage has been included in the District Plan. A Business 2 Zone has also been identified with an operative ODP included in the District Plan.

Explanation and Reasons

The phasing of development is crucial to ensuring that sufficient land is made available to accommodate the District's predicted household growth, whilst also enabling a consolidated urban form of the Greater Christchurch area that includes both Christchurch City and Waimakariri Districts. The District Plan provides sufficient land at Rolleston to meet the anticipated growth until 2020, however four of these growth areas require an operative Outline Development Plan to be included within the District plan to ensure their integrated development and have therefore been deferred until an ODP is included. Within Lincoln, sufficient land has been made available to accommodate predicted households until 2020. A number of ODP areas in Lincoln however cover land areas that are much larger than necessary for accommodating urban growth to 2020. These ODP areas have therefore been split into two phasing periods, with the land within the second period deferred until 2021 (or 2017 in the case of ODP Area 5) and until adequate infrastructure has been provided. In terms of ODP Area 5, it is considered that due to the limited amount of households that can be achieved within the area, the deferred status can be lifted in 2017 rather than 2021.

The Business 2B zoned area is not subject to a phasing criteria and an ODP has been included into the District Plan.

Method

District Plan Rules

- Subdivision

District Plan Maps

- Identify Phases within ODP areas

Medium Density Design Guide

Subdivision Design Guide

Policy B4.3.10

To ensure that the key principles and outcomes sought in operative Outline Development Plans are achieved and where development is proposed that is not in general accordance with an operative Outline Development Plan in the District Plan, consideration shall be given as to whether:

- **the proposed change will better achieve the key principles of the Outline Development Plan, as set out in Policy 4.3.7 and any specific ODP requirements set out in any area-specific ODP policy, than the land use pattern shown in the operative ODP;**
- **the proposed change will potentially compromise the outcomes sought within the remainder of the Outline Development Plan area. This is especially the case where changes are proposed that only cover a portion of an ODP area and/or have implications for other parts of the ODP area beyond the applicant's control. Where development that**

is not in general accordance with the ODP is proposed via a subdivision consent application, it is preferable that the application covers the entire ODP area so that the implications of such changes are able to be fully understood and assessed;

- **adequate provision has been made to ensure that such changes are aligned with the corresponding land use provisions of the District Plan and that this is transparent to current and future landowners.**

Explanation and Reasons

Outline Development Plans are a key method for achieving the integrated, sustainable development of Greenfield urban growth areas. It is therefore anticipated that development will be in general accordance with Outline Development Plans. It is nonetheless recognised that through the detailed preparation of subdivision consent applications or asset design processes there is the potential for alternative solutions or routes to be developed that better achieve the outcomes sought in ODPs than the broad land use pattern shown on the ODP. When assessing applications for development that is not in accordance with an ODP, it is anticipated that such applications will only be granted where they are able to demonstrate that the proposed development better achieves the key principles and outcomes sought in the ODP than the layout shown in the ODP. Such demonstration is made easier where the proposed development encompasses the entire ODP area so that the implications of the changes can be fully understood. Conversely, where the proposed development is for only a portion of an ODP area the applicant will need to demonstrate that the outcomes sought for the entire ODP area will not be compromised.

Development that is not in general accordance with an ODP can also have implications for the rule package that will apply to that development over time. For example the Business 1 zone rules apply to neighbourhood business areas shown on ODPs, however if the final location of the centre changes, then the applicant will need to demonstrate that an appropriate mechanism such as consent notices on individual property titles is in place to provide certainty to future landowners regarding the relevant rule package.

Method

District Plan Rules

- Subdivision

District Plan Maps

- ODP areas

District Plan Appendices

- Operative ODPs

Medium Density Design Guide

Subdivision Design Guide

Policy B4.3.11

Provide Neighbourhood and Local Centres, as shown in operative Outline Development Plans, to satisfy the more localised and convenience needs of people and communities, whilst recognising that neighbourhood and local centres are to complement existing Town Centres

which shall remain the primary focus for commercial, social and community activity within each Township.

Explanation and Reasons

The Town Centres within each township serve an important function as significant physical resources providing for the social, cultural and economic wellbeing of their respective communities of influence. Crucially such Town Centres serve as focal points in terms of providing important public and private services and facilities in the most efficient manner to the wider community, and should remain the focus of commercial, business and retail development in future.

The majority of such Town Centres are comprised of a core business area providing primarily retail, service and limited community activities. It is considered that over time the range and diversity of such functions, including that of office and commercial activity, will increase.

Whilst the Business 1 Zone Objectives, Policies and Rules also apply to neighbourhood and local centres shown on ODPs, the services and facilities provided for such centres are generally to have a more localised area of influence due to their limited range of activities and accessibility, and accordingly need to complement existing Town Centres, and not compete with them in terms of being a substantial business or retail destination at a strategic level.

Accordingly, such neighbourhood centres, as identified by the ODPs should:

- Range in size, but generally comprise 1,000m² – 2,000m² total floorspace and include:
 - up to 15 shops, with a maximum retail tenancy of 350m² GFA; and provide
 - a limited range of community facilities.

Local centres, as identified by the ODPs should:

- Range in size, but generally comprise up to 450m² total floorspace and include;
 - 1 – 5 shops, with a maximum retail tenancy of 350m² GFA; and provide
 - a limited range of community facilities.

Method

District Plan Rules

- Subdivision
- Business 1 Zone Rules

Policy B4.3.62

In that part of the Living Z Zone located in Lincoln as depicted within the Outline Development Plan for ODP Area 5, Appendix 37, no subdivision is to occur and no principal buildings are to be erected within 50m of the Landscape Buffer located at the northern end of the Business 2B Zone until appropriate noise attenuation measures are constructed, so as to address potential noise effects from the Business 2B zone on the Living Z zone and to ensure that the noise standards contained in Rule 22.4.1.6 can be achieved.

Explanation and Reasons

Activities in the Business 2B Zone may have noise effects that are incompatible with the amenity values of the adjoining Living Z zone. To ensure activities in these zones develop relatively freely, residential development in the Living Z zone should not occur within 50m of the Landscape Buffer located at the northern end of the Business 2B zone, unless appropriate noise attenuation measures are constructed to ensure any potential 'reverse sensitivity' effects are minor. Policy B4.3.62 is consistent with policies B3.4.37 and B2.2.5.

Policy B4.3.63

Ensure that development within each of the Outline Development Plan areas identified on the Planning Maps and Appendices within Lincoln addresses the specific matters relevant to each ODP Area number listed below:

Lincoln

Outline Development Plan Area 1

- ODP Area 1 to align with ODP Area 5;
- Provision of a main east-west road originating from Weedons Road, linking Springs Road to Moirs Lane in the southern area of ODP Area 1;
- Provision of secondary and tertiary roads connecting to the roading network within the adjoining subdivision to the north of the ODP area;
- Provision of main pedestrian and cycle links to the township and university;
- Provision of a comprehensive stormwater/wetland system, including stormwater wetland areas where required to accommodate necessary flows;
- Provision of wells and water pumping facilities to provide sufficient capacity for all future growth in this area, including main truck connections where necessary;
- Provision of a reticulated wastewater system and pumping stations with capacity to accommodate necessary flows;
- Maintenance of the buffer zone (150m) around the perimeter of the sewerage treatment plant;
- Provision of a building setback and landscape buffer adjacent to Springs Road and between residential properties and the rural land to the south of the ODP area;

- Provision of a minimum net density of 10 households per hectare averaged over the ODP area.

Outline Development Plan Area 2

- ODP Area 2 to align with ODP Area 3;
- Provision of main east-west road linking Southfield Drive to Ellesmere Road south of Edward Street;
- Provision of main north-south road linking Edward Street to main east-west road west of Ellesmere Road;
- Provision of Rail Trail route, and main pedestrian and cycle links to the township and university;
- Provision of main pedestrian and cycle links along the eastern side of the Liffey (LI) waterway and both sides of the LII waterway;
- Provision of a comprehensive stormwater/wetland system, including stormwater/wetland areas where required to accommodate necessary flows and secondary flow paths or flood capacity measures away from residential property;
- Provision of a reticulated wastewater system and pumping stations with capacity to accommodate necessary flows;
- Provision of a 20m reserve along the eastern side of the Liffey (LI) waterway and both sides of the LII waterway;
- Provision of a building setback and landscape buffer adjacent to Ellesmere Road;
- Provision of a minimum net density of 10 households per hectare averaged over the ODP area;

Outline Development Plan Area 3

- ODP Area 3 to align with ODP Area 2 and ODP Area 4;
- Provision of a main north-south road linking Edward Street (aligning with Southfield Drive) and Birchs Road adjacent to ODP Area 4;
- Provision of a main road link from the main north-south road to link to Edward Street aligning with main road from ODP Area 2;
- Provision of Rail Trail route, and main pedestrian and cycle links to township, including routes via 'Browns Lane' and adjacent to both Ellesmere Road and Edward Street. (**Note:** The 'Browns Lane' route shall be deferred until residential development of the 'Duncan's Block' has occurred.)
- Provision of a comprehensive stormwater conveyance system to accommodate necessary flows within both the northern and southern catchment boundaries;
- Provision of wells and water pumping facilities to provide sufficient capacity for all future growth in this area, including main trunk connections where necessary;
- Provision of a reticulated wastewater system and pumping stations with capacity to accommodate necessary flows;

- Provision for riparian corridor/reserve along stream to Ellesmere Road;
- Provision of a building setback and landscape buffer adjacent to Ellesmere Road and Edward Street;
- Provision of one neighbourhood centre;
- Provision of a minimum net density of 10 households per hectare averaged over the ODP area.

Outline Development Plan Area 4

- ODP Area 4 to align with ODP Area 3;
- Provision for a main road connection between Birchs Road and Boundary Road aligning with main road from ODP Area 3;
- Avoidance of any direct vehicular access onto Tancreds Road and the northern frontage of Birchs Road;
- Provision of main pedestrian and cycle links to the town centre;
- Interface with existing reserve areas;
- Provision for maintenance of capacity and flows of Paparua Water Race.
- The potential for reverse sensitivity with surrounding rural land which includes but is not limited to: dust (during cultivation and harvesting), spray drift, irrigation drift, noise from bird scaring devices, noise and headlight glare from machinery, smoke from “burn off”, and odour;
- Provision of a comprehensive stormwater/wetland system, including stormwater/wetland areas where required to accommodate necessary flows;
- Provision of wells and water pumping facilities to provide sufficient capacity for all future growth in this area, including main trunk connections where necessary;
- Provision of a reticulated wastewater system and pumping stations with capacity to accommodate necessary flows;
- Provision of a building setback and landscape buffer adjacent to Tancreds Road and the northern frontage of Birchs Road;
- Provision of a 20 metre (minimum) building setback and landscaped non-recreational buffer adjacent to 'Smith's Block', with hedging by slow growing, tightly branched evergreen natives;
- Provision of a minimum net density of 10 households per hectare averaged over the ODP area.

Outline Development Plan Area 5

- ODP Area 5 to align with ODP Area 1;
- For the Living Z Zone, provision of one roading connection off Springs Road to service the residential development only;

- For the Business 2B Zone, provision of one roading connection off Springs Road to service the business development only;
- No roading access between the Living Z and Business 2B zones;
- Provision of a 50m buffer between the Living Z and Business 2B zones to be used as a landscape buffer with the potential to become a limited access bypass road (subject to confirmation by the Selwyn District Council)
- Provision of pedestrian and cycle links within the ODP area that could connect with the adjoining urban area to the north and the east;
- Provision of a reticulated wastewater system with capacity to accommodate necessary flows;
- Provision for an integrated stormwater management system;
- Provision of wells and water pumping facilities to provide sufficient capacity for all future growth in this area, including main trunk connections where necessary;
- Provision of a minimum net density of 10 households per hectare averaged over the Living Z zone.

Outline Development Plan Area 6

- Provision for a road extension from North Belt to the northern ODP boundary, aligning with William Street;
- Provision of main pedestrian and cycle links to the town centre;
- Provision for cycle and pedestrian facilities through to the Community Centre and Domain sites;
- Provision of a reticulated wastewater system with capacity to accommodate necessary flows;
- Provision for stormwater management system;
- Provision of a minimum net density of 15 households per hectare averaged over the ODP area.

Explanation and Reasons

A Structure Plan has been prepared to facilitate the integrated growth of Lincoln Township to accommodate an additional 4,015 households by 2041. The Lincoln Structure Plan is based on projected figures from the Urban Development Strategy and Regional Policy Statement, which identify Lincoln as a south-western growth centre.

Due to the large amount of land within the township Urban Limit, the Greenfield growth area has been broken into a number of Outline Development Plan (ODP) areas. Each area is to be developed in accordance with an individual outline development plan while achieving the strategic outcomes sought for the entire township.

Each ODP area has been identified predominately by using significant features that cause severance e.g. major roads or rivers, whilst also taking into consideration the ability to provide for infrastructure. Smaller ODP areas have generally been avoided as they will reduce the potential to achieve a strategic outcome. One exception in Lincoln is ODP Area 6, which due to its location adjacent to the Lincoln Community Centre and its use for medium density purposes only, is suited to a small ODP. Comparatively, providing one ODP for the entire area will create difficulties with multiple land ownership, zoning and staging such that the ability to readily implement future growth, particularly in the short term is likely to be heavily constrained by such difficulties. It is considered therefore that the approach taken with identified ODP areas is both the most practical in terms of maintaining the strategic objective and enabling development to continue in the short term. It is also considered that this approach is consistent with the Regional Policy Statement.

Whilst an ODP is generally conceptual in nature, some specific criteria have been listed which must be addressed in an ODP for any of the identified ODP areas. Each ODP area within Lincoln has specific requirements that have been identified through the Structure Plan process. Where an ODP is not already prepared, important infrastructure requirements have been listed under this specific criteria and these include matters such as roading links, water supply, stormwater management, wastewater treatment and disposal, Rail Trail route, and pedestrian and cycle links to the town centre, university and esplanade reserves. These criteria must be addressed when preparing an ODP within an ODP area in Lincoln. It is also relevant to consider this criteria where a change to an operative ODP is proposed, as noted in Policy B4.3.10.

General Policies

General policies which may be particularly relevant to Lincoln include:

Plan Section	Objectives / Policies	Issue
1.1 Land and Soil	Policies B1.1.3 and B1.1.8	Possible contaminated soil in areas used for agricultural research in the past. Lincoln is surrounded by “versatile soils” except to the south-west (LUC Class I or II)
1.2 Water	Policy B1.2.2 and B1.2.5	Stormwater disposal to LI and LII. Reticulated sewerage.
2.1 Transport	Policy B2.1.8 and B2.1.9	Community perceptions of traffic on Gerald Street. Impact of growth of Lincoln and road links into Christchurch City
2.2 Utilities	Policies B2.2.1 and B2.2.4	Impacts of rate of residential growth on Lincoln’s sewerage system
2.3 Community Facilities (and Reserves)	Policy B2.3.1	Impact of rate of residential growth at Lincoln on community facilities
3.4 Quality of the Environment	Policy B3.4.37	Reverse sensitivity issues, Business 3 and Rural zones

Reticulated Sewage

Reticulated sewage treatment and disposal is required at Lincoln.

PREBBLETON

Preferred Growth Option

The first preferred areas for expansion of Prebbleton are east and west of Springs Road, between the north and south limits of the existing Living and Business zones as identified in Appendix 31.

Specific Policies

Policy B4.3.64

Encourage land located to the east and west of the existing Living and Business zones, being those Living and Business zones that adjoin Springs Road, which is located as close as possible to the existing township centre as the first preferred areas to be rezoned for new residential development at Prebbleton, provided sites are available and appropriate for the proposed activity.

Explanation and Reasons

Much land rezoned for residential development at Prebbleton has been to the south of the township, to avoid using land containing 'versatile soils' (LUC Class I or II). As a result, Prebbleton is developing in an elongated north-south pattern along Springs Road. The Council's preferred areas for future residential development are east and west of Springs Road located as close as possible to the existing town centre. This policy is consistent with:

- Creating a compact shaped township; Town Form Policy B4.3.6.
- Minimising effects on Springs Road as a Strategic Road; Policy B2.1.18.
- Minimising the length of "rural-residential" boundaries and potential for "reverse sensitivity" issues; Policy B3.4.39.

Although this area contains LUC Class II soils, there are other resource management effects of continuing residential development on soils that are not "versatile" at Prebbleton.

Policy B4.3.65

Discourage further expansion of Prebbleton township north or south of the existing Living zone boundaries adjoining Springs Road.

Explanation and Reasons

Springs Road is one of the busiest Strategic Roads in Selwyn District. Further elongation of Prebbleton township north-south along Springs Road is inconsistent with Policy B2.1.18 and Town Form Policy B4.3.6.

Policy B4.3.66

Encourage rezoning of any land for new business development to adjoin the existing Business 1 Zone on the east side of Springs Road.

Explanation and Reasons

Confining Business 1 Zones to one side of Springs Road may lessen the number of pedestrian and vehicle movements crossing the road than if Business 1 Zones were to occur on both sides of the road. This policy is consistent with Policy B2.1.3. Consolidating similar Business 1 Zones into one area in a township is consistent with policies B3.4.35 and B3.4.36.

Policy B4.3.67

Consider any potential adverse effects of rezoning land for new residential or business development at Prebbleton on the ‘rural-urban’ landscape contrast of the area with Christchurch City, as identified in the RPS.

Explanation and Reasons

Objective 3 and Policy 5 of Chapter 12 of the RPS identify an area of land between Christchurch City and a line extending from West Melton to Tai Tapu as having important landscape and amenity values. The RPS seeks to maintain this land in “rural and recreational” uses. Policy B1.4.17 of the District Plan addresses this issue.

General Policies

General policies that may be particularly relevant to Prebbleton include:

Plan Section	Objectives / Policies	Issue
1.1 Land and Soil	Policy B1.1.8	Many areas around Prebbleton contain “versatile soils” (LUC Class I or II)
1.2 Water	Policy B1.2.5	Reticulated sewage (see note below)
2.1 Transport	Policies B2.1.3, B2.1.9, B2.1.10 and B2.1.18	Effects of additional traffic on Springs Road. Growth of a township “straddling” a Strategic Road.
2.2 Utilities	Policy 2.2.1	Impact of rate of town growth on utilities
2.3 Community Facilities (and Reserves)	Policy 2.3.1	Impact of rate of town growth on community facilities
3.4 Quality of the Environment	Policy B3.4.38	Reverse sensitivity issues, Rural zone

Reticulated Sewage

Reticulated sewage treatment and disposal is required at Prebbleton.

RAKAIA HUTS

Preferred Growth Option

There may be more than one site that complies with all relevant provisions in the District Plan for the future expansion of Rakaia Huts.

Specific Policies

Policy B4.3.68

Avoid rezoning any land for new residential or business development on the south-west side of Pacific Drive and restrict further building development on existing Lots 58-108 as shown in Appendix 24.

Explanation and Reasons

Land on the south-west side of Pacific Drive is subject to flooding from the Rakaia River. For this reason the Council intends to discourage further zoning of land for living or business purposes in this area and restrict development on the lower terrace within the existing Living zone.

Policy B4.3.69

Ensure any land rezoned for new residential or business development at Rakaia Huts does not cause damage or disturbance to archaeological sites or sites that are culturally important to tāngata whenua.

Explanation and Reasons

The area around the Rakaia River mouth is a traditional area of occupation and food gathering for local Māori. Remains of a moa hunting ground exist in the area. The Council encourages any person wanting to rezone land for new residential or business development at Rakaia Huts to consult with tāngata whenua and the New Zealand Historic Places Trust Pouhere Taonga about their interests in this area. This policy is consistent with Policy B3.3.2.

NOTE:

If an archaeological site is accidentally uncovered, it has interim protection from further disturbance under the Historic Places Act 1993 – see Part B, Section 3.3.

General Policies

General policies that may be particularly relevant to Rakaia Huts include:

Plan Section	Objectives / Policies	Issue
1.2 Water	Policy B1.2.6	On-site effluent treatment and disposal system
3.1 Natural Hazards	Policies B3.1.2 and B3.1.3	Flooding and coastal erosion
3.3 Culture and Heritage	Policy B3.3.2	Sites of cultural importance to Tāngata Whenua

ROLLESTON

Preferred Growth Option

There may be more than one area that complies with all relevant plan provisions for the future expansion of Rolleston.

Specific Policies

Policy B4.3.70

Avoid rezoning land for new residential or business development (other than Business 2 and 2A Zoning), west of SH1 and the South Island Main Trunk Line (SIMTL).

Explanation and Reasons

Rolleston Township is currently confined to one side of SH1 and the SIMTL except for the Business 2 and 2A Zones. Policy B4.3.69 is consistent with Policy B2.1.17.

Policy B4.3.71

Avoid rezoning land for new residential development in areas shown under the Airport Flightpath Noise Contours for 50 dBA Ldn or greater, on Planning Map 013.

Explanation and Reasons

Land within Rolleston township is under an approach path for aircraft to Christchurch International Airport. Policy B4.3.70 is consistent with Policy B2.1.22.

Policy B4.3.72

Encourage land rezoned for new business development to adjoin an existing Business zone of similar character, where sites are available and appropriate for the proposed activity.

Policy B4.3.73

Encourage additional Business 2 or 2A Zones to locate west of SH1, preferably adjoining the existing Business 2 or 2A Zone.

Explanation and Reasons

Rolleston contains two Business 1 Zones. That part of the Business 1 Zone bounded by Rolleston Drive, State Highway 1, and Dick Roberts Place has site specific rules and it is intended to provide for the Selwyn District Council's district headquarters and for civic and community activities undertaken by the Council. It is not intended that commerce and retailing will locate in this part of the Business 1 Zone.

Policy B4.3.72 encourages any additional business development to adjoin these zones and create consolidated Business zones in the township, rather than the creation of several isolated zones. This policy is consistent with policies B3.4.35 and B3.4.36.

Keeping the Business 2 and 2A Zones west of SH1 provides a “buffer” area between these activities and the township, which may help reduce potential “reverse sensitivity” issues. Policy B4.3.73 is consistent with Policy B3.4.38.

Policy B4.3.74

Encourage integration between rezoning land for new residential development at Rolleston and associated provisions for utilities, community facilities and areas for business development.

Explanation and Reasons

A study prepared for the Council (Barber, 1999: Demand for Land for Commercial and Industrial Uses in Selwyn District) indicates that if projected residential growth occurs at Rolleston, there will be a shortage of space for associated business activities in the land currently zoned Business 1.

Future residential growth at Rolleston will also result in the need for additional or upgraded utilities and community facilities. Any application to rezone land for a new residential area needs to address these effects in the same way as the Council is required to, should it rezone land for additional residential areas. This policy is consistent with policies B2.2.1 and B2.3.1.

Policy B4.3.75

Encourage new residential development by further subdivision in existing Living 2 Zones where it complies with the objectives and policies of the Plan.

Explanation and Reasons

Residential density and allotment sizes in the Living 2 Zones at Rolleston average either 0.5 ha to 1 ha. These zones cover large areas. Policy B4.3.75 allows Rolleston township to grow through closer residential development in the Living 2 zones, provided: there are no adverse effects on infrastructure; and closer density is supported by the residents in the areas affected. This policy is consistent with Policy B4.1.3 and Town Form Policy B4.3.6.

Policy B4.3.76

Ensure that development within each of the Outline Development Plan areas identified on the Planning Maps and Appendices within Rolleston addresses the specific matters relevant to each ODP Area number listed below:

Outline Development Plan Area 1

- Provision of local secondary road connections through the area to Dunns Crossing Road, Brookside Road, and Stonebrook Drive;
- Provision of pedestrian and cycle links within and through the ODP area to connect with the adjoining urban area to the east and south;

- Provision of a reticulated wastewater system with capacity to accommodate necessary flows;
- Potential provision of primary school subject to agreement with Ministry of Education;
- Provision of one Local Centre;
- Provision of a 40m noise abatement zone from State Highway 1;
- Provision of local neighbourhood parks and a key open space corridor along the alignment of the unformed East Maddisons Road. Green pedestrian and cycle linkages are to be provided from the balance of the area to this open space corridor;
- Provision of a mix of housing densities within the area, with medium density housing to be located in close proximity to local parks and the central open space corridor;
- Provision of a minimum net density of 11 households per hectare averaged over the ODP area.

Outline Development Plan Area 2

- Vehicle access to be via a secondary road connection from the Markham Way cul-de-sac with no direct vehicle access onto Norman Kirk Drive or Rolleston Drive;
- Provision of wells and water pumping facilities to provide sufficient capacity for all future growth in this area, including main trunk connections where necessary;
- Provision of a reticulated wastewater system with capacity to accommodate necessary flows;
- The stopping of an unformed portion of road ‘Dick Roberts Place’ along the area’s western boundary will need to be addressed through a separate road stopping procedure;
- Identification of the whole of this ODP area as a medium density housing area, apart from a strip adjacent to the existing dwellings to the west where lower density lots are to be located to provide an area of transition between the existing dwellings and higher density units;
- Provision of pedestrian and cycle link between Rolleston School and Markham Way;
- Provision of a minimum net density of 20 households per hectare averaged over the ODP area.

Outline Development Plan Area 3

- Provision of local east-west secondary road connections through the ODP area to the existing “Park Lane” subdivision;
- No direct vehicle access from State Highway 1 and restricted vehicle access from Levi Road, to maintain the operational status of these primary roads, with lots fronting Levi Road to have an alternative access such as slip lanes;
- Provision of pedestrian and cycle links within and through the ODP area to connect with the adjoining urban area to the west and the rural area to the east;
- Provision of a comprehensive stormwater system that has sufficient capacity for the ODP area;

- Provision of reticulated water supply and wastewater systems that have sufficient capacity for the ODP area;
- Provision of local neighbourhood parks, including a gateway reserve on the southeastern corner of the ODP area adjacent to Levi Road;
- Provision of larger lots of at least 1,000m² around the northern, eastern, and southern boundaries of the ODP area;
- Provision of a minimum net density of 10 households per hectare averaged over the ODP area.

Outline Development Plan Area 4

- Provision of a local secondary road connection to Levi Road and Lincoln Rolleston Road;
- Provision of pedestrian and cycle links within and through the ODP area to connect with the adjoining urban area to the west and the rural area to the east;
- Provision of a comprehensive stormwater system that has sufficient capacity for the ODP area;
- Provision of reticulated water supply and wastewater systems that have sufficient capacity for the ODP area;
- Provision of a minimum net density of 15 households per hectare averaged over the ODP area.

Outline Development Plan Area 5

- Provision of District-function recreation and open space facilities;
- Provision of a secondary school;
- Provision of pedestrian and cycle links within and through the ODP area to connect with the adjoining urban area and ODP area 6.

Outline Development Plan Area 6

- Provision of a main east-west primary road connection through the area from near the intersection of Goulds Road and East Madison Road to Springston Rolleston Road;
- Provision of two local north-south secondary road connections through the area, to provide connections between ODP area 5 to the north and the primary road noted above and future urban areas to the south;
- Provision of pedestrian and cycle links within and through the ODP area to connect with the adjoining urban area and ODP area 5;
- Provision of a comprehensive stormwater system that has sufficient capacity for the ODP area;
- Provision of reticulated water supply and wastewater systems that have sufficient capacity for the ODP area;
- Provision of one local centre adjacent to ODP Area 5;

- Provision of one partial neighbourhood centre in the vicinity of the intersection of Goulds Road and East Maddisons Road;
- Provision of local neighbourhood parks;
- Provision of a mix of low and medium density housing areas with a minimum net density of 13 households per hectare averaged over the ODP area.

Outline Development Plan Area 7 (Park Grove) – Living Z

- Provision of a main east-west primary road connection through the area linking up to two access points off Overbury Crescent;
- Provision of a 40m noise abatement zone from State Highway 1;
- Provision of pedestrian and cycle links within and through the ODP area to connect to adjoining urban areas;
- Provision of a comprehensive stormwater system that has sufficient capacity for the ODP area;
- Provision of reticulated water supply and wastewater systems that have sufficient capacity for the ODP area;
- Provision of a minimum net density of 19 households per hectare averaged over the ODP area.

Outline Development Plan Area 8 (Park Lane) – Living Z

- ODP Area 8 to align with ODP Area 3;
- Provision of main north-south primary road connection from Marlowe Place to Beaumont Drive;
- Provision of three local east-west secondary road connections to ODP Area 3 (including one connect from Shadbolt Drive to ODP Area 3);
- Provision of a 40m building setback from the State Highway 1;
- No direct access off State Highway 1;
- Provision of pedestrian and cycle links within and through the ODP area to connect to adjoining urban areas;
- Provision of a comprehensive stormwater system that has sufficient capacity for the ODP area;
- Provision of reticulated water supply and wastewater systems that have sufficient capacity for the ODP area;
- Provision of local neighbourhood parks;
- Provision of a minimum net density of 10 households per hectare averaged over the ODP area.

Outline Development Plan Area 9 (Helpet Park) – Living Z Deferred

- ODP Area 9 to align with ODP Area 11;
- Provision of a local north-south secondary road connection from Lowes Road to ODP Area 11;
- Provision of a local east-west secondary road connection from Springston Rolleston Road to Lincoln Rolleston Road;
- Provision of pedestrian and cycle links within and through the ODP area to connect to adjoining urban areas;
- Provision of a comprehensive stormwater system that has sufficient capacity for the ODP area;
- Provision of reticulated water supply and wastewater systems that have sufficient capacity for the ODP area;
- Provision of a minimum net density of 10 households per hectare averaged over the ODP Area.

Outline Development Plan Area 10 (East Maddisons / Goulds Road) – Living Z Deferred

- ODP Area 10 to align with ODP Area 6;
- Provision of main east-west primary road connection from East Maddisons Road to Goulds Road;
- Provision of local east-west secondary road connections from East Maddisons Road to Goulds Road;
- Provision of pedestrian and cycle links within and through the ODP area to connect to adjoining urban areas;
- Provision of a comprehensive stormwater system that has sufficient capacity for the ODP area;
- Provision of reticulated water supply and wastewater systems that have sufficient capacity for the ODP area;
- Provision of a minimum net density of 10 households per hectare averaged over the ODP Area.

Outline Development Plan Area 11 (Branthwaite Drive) – Living Z Deferred (2021)

- ODP Area 11 to align with ODP Area 9;
- Provision of main north-south primary road connection from ODP Area 9 linking up with Branthwaite Drive and to future development to the south of ODP Area 11;
- Provision of main east-west primary road connection from Springston Rolleston Road to Lincoln Rolleston Road;
- Provision of two local east-west secondary road connections from Springston Rolleston Road to Lincoln Rolleston Road;

- Provision of pedestrian and cycle links within and through the ODP area to connect to adjoining urban areas;
- Provision of a comprehensive stormwater system that has sufficient capacity for the ODP area;
- Provision of reticulated water supply and wastewater systems that have sufficient capacity for the ODP area;
- Potential provision of two Local Centres;
- Potential provision of one partial Neighbourhood Centre;
- Provision of local neighbourhood parks;
- Provision of a minimum net density of 14 households per hectare averaged over the ODP Area;

Explanation and Reasons

A Structure Plan has been prepared to facilitate the integrated growth of Rolleston Township to accommodate an additional 5,375 households by 2041. The Rolleston Structure Plan is based on projected figures from the Urban Development Strategy and Regional Policy Statement, which identify Rolleston as a south-western growth centre.

Due to the large amount of land within the township Urban Limit, the Greenfield growth area has been broken into a number of Outline Development Plan (ODP) areas. Each area is to be developed in accordance with an individual outline development plan while achieving the strategic outcomes sought for the entire township.

Each ODP area has been identified predominately by using significant features that cause severance e.g. major roads, whilst also taking into consideration the ability to provide for infrastructure. Smaller ODP areas have generally been avoided as they will reduce the potential to achieve a strategic outcome. One exception in Rolleston is ODP Area 2 due to it being the last large vacant lot close to the existing town centre available for comprehensive development. Comparatively, providing one ODP for the entire Township will create difficulties with multiple land ownership, zoning and staging such that the ability to readily implement future growth, particularly in the short term is likely to be heavily constrained by such difficulties. It is considered therefore that the approach taken with identified ODP areas is both the most practical in terms of maintaining the strategic objective and enabling development to continue in the short term. It is also considered that this approach is consistent with the Regional Policy Statement.

Whilst an ODP is generally conceptual in nature, some specific criteria have been listed which must be addressed in an ODP for any of the identified ODP areas. Each ODP area within Rolleston has specific requirements that have been identified through the Structure Plan process. Where an ODP is not already prepared, important infrastructure requirements have been listed under this specific criteria and these include matters such as roading links, water supply, stormwater management, wastewater treatment and disposal, and pedestrian and cycle links. These criteria must be addressed when preparing an ODP within an ODP area in Rolleston. It is also relevant to consider this criteria where a change to an operative ODP is proposed, as noted in Policy B4.3.10.

General Policies

General policies that may be particularly relevant to Rolleston include:

Plan Section	Objectives / Policies	Issue
1.1 Land and Soil	Policy B1.1.8	'Versatile soils' are located north of the township (LUC Class I or II)
1.2 Water	Policy B1.2.5	Reticulated sewage is required
2.1 Transport	Policies B2.1.17, B2.1.22 and B2.1.23	Confining Rolleston to one side of SH1/SIMTL. Christchurch International Airport
2.2 Utilities	Policy 2.2.1	Impact of rate of town growth on utilities
2.3 Community Facilities (and Reserves)	Policy 2.3.1	Impact of rate of town growth on community facilities
3.4 Quality of the Environment	Policies B3.4.35, B3.4.36 and B3.4.38	Consolidating Business zones and reverse sensitivity effects
4.1 Residential Density	Policies B4.1.2 and B4.1.3	Further subdivision, Living 2 zones

SHEFFIELD/WADDINGTON

Preferred Growth Option

There may be more than one area that complies with all the relevant plan provisions for the future expansion of Sheffield/Waddington.

Policy B4.3.77

Encourage new residential or business activities to use sites in the existing Living 1 Zone, if sites are available and appropriate for the proposed activity.

Explanation and Reasons

There is land not used for residential activities in the existing Living 1 zone at Sheffield and Waddington. Using this land is consistent with Town Form Policy B4.3.4.

Policy B4.3.78

Encourage any land rezoned for new residential or business development to occur north of the existing Living 1 Zone boundaries at Sheffield; north of the existing Living 1 Zone at Waddington; and south of the existing Living 1 Zone at Sheffield, but not on to the base of the Malvern Hills.

Policy B4.3.79

Discourage rezoning land for new residential or business development (other than Business 2) that is located:

- **North east or west of the Living 1 Zone at Sheffield; or**
- **East of the Living 1 Zone at Waddington**

Explanation and Reasons

Sheffield Township straddles SH73 and the Midland Railway Line. Waddington Township is confined to one side of SH73 and the Midland Railway Line. Policy B4.3.78 and B4.3.79 are consistent with policies B2.1.17 and B2.1.18. It is also consistent with Policy B1.4.13 which protects the landscape values of the Malvern Hills.

Policy B4.3.80

Encourage any land zoned for business development to be located on one side of SH73 only.

Explanation and Reasons

Activities which locate in Business 1 Zones tend to have relatively high numbers of vehicle or pedestrian movements compared with activities in Living zones. Policy B4.3.80 is to discourage these activities from locating on both sides of SH73 and the Midland Railway Line, so as to avoid a potential increase in the number of people and motor vehicles moving across transport routes.

This is consistent with Policy B2.1.17. It is also consistent with policies B3.4.35 and B3.4.36 which encourage Business zones to consolidate in one area of a township.

Policy B4.3.81

Ensure any land rezoned for residential or business development south of Vogel Street does not create or exacerbate a natural hazard.

Explanation and Reasons

The area to the south of the Living zones beyond Vogel Street is terraced. An assessment of the natural hazards and stability affecting the upper terrace (Living 1A) has been undertaken and the area is generally suitable for residential development. However particular sites, including those close to the edge of the upper terrace, may require further investigation at the time that applications for subdivision and/or building consents are made. Before any residential or business development takes place on the lower terrace further investigation will be needed relating to land stability and the risk of flooding, including that caused by the flow of stormwater from the upper terrace.

General Policies

General policies that may be particularly relevant to Sheffield/Waddington include:

Plan Section	Objectives / Policies	Issue
1.2 Water	Policy B1.2.6	On-site effluent treatment and disposal system
1.4 Outstanding Natural Features and Landscapes	Policy B1.4.13	Avoid residential or business development on Malvern Hills
2.1 Transport	Policies B2.1.17, B2.1.18	SH73 and Midland Railway Line
3.1 Natural Hazards	Policy B3.1.2	Terraced area south of Vogel Street

SOUTHBRIDGE

Preferred Growth Option

There may be more than one area for the future expansion of Southbridge that complies with all relevant provisions in the Plan.

Specific Policies

Policy B4.3.82

Encourage new residential or business areas to locate on sites in the existing Living and Business zones, if sites are available and appropriate for the proposed activity.

Explanation and Reasons

There is land not currently used for residential or business activities in the existing Living and Business 1 Zones at Southbridge. The use of that land for new residential or business activities is consistent with Town Form Policy B4.3.4.

Policy B4.3.83

Ensure that any land rezoned for new residential or business development in the existing Living 1 Zone along Gordon Street and High Street, does not create or exacerbate a flooding hazard.

Explanation and Reasons

The drain in this area tends to overflow in heavy rainfall, therefore flooding the area. Any new residential or business development should not occur on land which has a reasonable risk of flooding. It should not increase the risk of flooding “downstream” by increasing the rate of rainfall runoff into the drain. This policy is consistent with Policy B3.1.2.

Policy B4.3.84

Encourage any new Business zone to adjoin an existing Business zone of similar character, if sites are available and appropriate.

Explanation and Reasons

Southbridge has Business 1 and 2 Zones. Policy B4.3.84 is to encourage consolidated Business zones in townships, rather than the creation of several isolated zones. This policy is consistent with policies B3.4.35 and B3.4.36.

Policy B4.3.85

Ensure any land rezoned for new residential or business development does not create or exacerbate “reverse sensitivity” issues in respect of activities in the existing Business 2 Zone.

Explanation and Reasons

Southbridge has an existing Business 2 Zone that adjoins the Living zone in all areas except west of High Street. Some activities in the Business 2 Zone may have effects that are incompatible with residential activities. Ensuring there are options for the Business 2 areas to continue or expand without creating “reverse sensitivity” issues will promote sustainable management. This policy is consistent with policies B3.4.38 and B3.4.39.

General Policies

General policies which may be particularly relevant to Southbridge include:

Plan Section	Objectives / Policies	Issue
1.1 Land and Soil	Policy B1.1.8	Southbridge is surrounded by “versatile” soils – LUC Class I or II
1.2 Water	Policy B1.2.5	Reticulated sewage treatment and disposal is required at Southbridge (see note below).
2.2 Utilities	Policies B2.2.1, B2.2.3 and B2.2.4	There is no public reticulated sewerage system available at Southbridge at present (see note below)
3.1 Natural Hazards	Policy B3.1.2	Flooding from the drain in Gordon Street / High Street area
3.4 Quality of the Environment	Policies B3.4.35 – B3.4.39	Reverse sensitivity in Business 2 zones

Sewage Treatment and Disposal

Reticulated sewage treatment and disposal is required at Southbridge – see Policy B1.2.5.

SPRINGFIELD

Preferred Growth Option

There may be more than one area for the future expansion of Springfield that complies with all relevant provisions in the Plan.

Specific Policies

Policy B4.3.86

Encourage new residential or business activities to use sites in the existing Living 1 Zone, if sites are available and appropriate for the proposed activity.

Explanation and Reasons

There is land not used for residential or business activities in the existing Living 1 zone at Springfield. Using land in the existing zone is consistent with Town Form Policy B4.3.4.

Policy B4.3.87

Encourage any new Living zone to occur on the north side of SH73 and avoid new Living or Business 1 Zones:

- **East of the existing Living 1 zone;**
- **On the south side of SH73; or**
- **North of the Midland Railway Line.**

Explanation and Reasons

Springfield Township is currently confined to one side of a Strategic Road (SH73) and the Midland Railway Line. Policy B4.3.86 is consistent with Policy B2.1.17, in keeping the township confined to one side of both transport routes.

The Russell Range is identified in the Plan as having special landscape values. Confining new residential or business development to the north side of SH73 is consistent with Policy B1.4.13.

Policy B4.3.88

Ensure that any land rezoned for new residential or business development north of Springfield does not create or exacerbate potential “reverse sensitivity” issues in respect of the Midland Railway Line.

Explanation and Reasons

Springfield Township is “sandwiched” between SH73 and the Midland Railway Line. There is some land zoned “Rural” between the Living 1 Zone and the Railway Line. The land was designated for railway purposes but this designation is not now required. This area may be suitable for the expansion of Springfield. However, potential “reverse sensitivity” effects with noise, dust and vibration from trains using the Midland Railway Line would need to be addressed.

General Policies

General policies that may be particularly relevant to Springfield include:

Plan Section	Objectives / Policies	Issue
1.2 Water	Policy B1.2.6	On-site effluent treatment and disposal system
1.4 Outstanding Natural Features and Landscapes	Policy B1.4.13	Landscape values of Russell Range
2.1 Transport	Policies B2.1.17	Confining growth of Springfield to one side of the Midland Railway Line and SH73.

SPRINGSTON

Preferred Growth Option

There may be more than one area for the future expansion of Springston that complies with all relevant provisions in the Plan.

Specific Policies

Policy B4.3.89

Encourage any land rezoned for new residential or business development at Springston to create compact shaped areas behind the existing Living zones, with frontage on to Leeston, Waterholes or Ellesmere Junction Roads, if sites are available and appropriate.

Explanation and Reasons

Springston Township has developed around the intersections of Ellesmere Junction Road/Waterholes Road and Ellesmere Junction Road/Leeston Road. The Living 1 Zone is often only “one section deep” with houses fronting these roads. The preferred option for future expansion of Springston is by using land behind the existing Living 1 Zone rather than extending it further along these arterial roads. This policy is consistent with Town Form Policy B4.3.6. The use of some of this land for future residential or business development is complicated by its tenure as part of the ‘Gammack Estate’.

Policy B4.3.90

Avoid rezoning land for new residential or business development:

- **Further west along Ellesmere Junction Road than the Domain;**
- **Further east along Ellesmere Junction Road than the Living 1A Zone.**

Policy B4.3.91

Avoid rezoning land for new residential or business development along both sides of Waterholes Road or both sides of Leeston Road.

Explanation and Reasons

Springston Township had developed along the intersection of three main roads, Leeston Road, Ellesmere Junction Road and Waterholes Road. In many parts houses are only one row deep along the road frontage. Policy B4.3.91 is to avoid extending the township further along Ellesmere Junction Road. This policy is consistent with Policy B2.1.18.

Policy B4.3.91 is to avoid creating a township that “straddles” both sides of Leeston or Waterholes Road. The policy contemplates extending the zone boundary along these roads, but preferably on one side only. This policy is consistent with Policy B2.1.17.

Policy B4.3.92

Ensure that any land rezoned for new residential or business development does not create or exacerbate a natural hazard from flooding of the Springston drainage network.

Explanation and Reasons

The land to the east and south east of the existing Living 1 Zone along Leeston Road has a high water table. If it is used for a new residential area, the water ponding in this area will need to be collected and disposed of. That activity should not increase the risk of local drains overflowing and flooding land 'downstream'.

General Policies

General policies that may be particularly relevant to Springston include:

Plan Section	Objectives / Policies	Issue
1.1 Land and Soil	Policy B1.1.8	Springston is surrounded by "versatile soils" – LUC Class I or II
1.2 Water	Policies B1.2.1 and B1.2.5	The public reticulated water supply at Springston will need upgrading if it is used to supply any new allotments. Reticulated sewage.
2.1 Transport	Policies B2.1.17, B2.1.18	Further growth of townships along Strategic Roads
2.2 Utilities	Policies B2.2.2 and B2.2.5	Upgrades to water supply and sewerage (see notes below). Alternative to public water supply.

Water and Sewage

A reticulated water supply and sewage treatment and disposal is required at Springston – see policy B1.2.3 and B1.2.5.

Gammack Estate

Land held by the Gammack Trust surrounds Springston to the west, north-west and north-east. The Trustees do not have power to sell this land (it has to be done through an Act of Parliament). There is also debate whether the land can be used for purposes other than farming, due to the wording of the Will of the late James Gammack.

TAI TAPU

Preferred Growth Options

There may be more than one area for the future expansion of Tai Tapu that complies with all relevant provisions in the Plan.

Specific Policies

Policy B4.3.93

Encourage new residential or business activities to locate on sites that have the least risk of being subject to flooding.

Explanation and Reasons

Tai Tapu is located in a stormwater ponding area for the surrounding catchment. The township is lower lying than the adjoining Halswell River. Parts of the township are flooded by stormwater ponding during quite regular heavy rainfall events (1 in 5 year storms). Policy B4.3.93 is to encourage new residential or business activities to locate on sites that are least subject to flooding. This may mean avoiding some sites in the existing Living 1A or 2A Zones in favour of rezoning a new area. In this case, the Council considers it better promotes sustainable management to utilise sites that are less prone to natural hazards, even if it results in a less consolidated township. Any new zoning must accord with Policy B4.3.94, and all other relevant District Plan policies.

Policy B4.3.94

Ensure any land rezoned for new residential or business development does not increase potential natural hazards from flooding.

Explanation and Reasons

Any new residential or business development should not increase potential natural hazards from flooding at Tai Tapu. This includes:

- Locating buildings in areas subject to flooding.
- Earthworks or buildings that divert floodwater onto other property; or
- Increasing the risk of flooding downstream by increasing the rate of rainfall runoff into the Halswell River or waterbodies in the catchment. This policy is consistent with policies B3.1.2, B3.1.4 and B3.1.5.

Policy B4.3.95

Avoid rezoning land for new residential or business development along both sides of SH75.

Explanation and Reasons

Tai Tapu township straddles a Strategic Road - SH75. Policy B4.3.95 is to avoid extending this pattern by confining future north-south expansion of the township to one side of SH75. This

policy is consistent with Policy B2.1.18. Future development should also occur in a manner that promotes a compact or consolidated town shape consistent with Town Form Policy B4.3.6.

Policy B4.3.96

Consider any potential adverse effects of rezoning land for new residential or business development at Tai Tapu on the “rural-urban” landscape contrast of the area with Christchurch City, as identified in the RPS.

Explanation and Reasons

Objective 3 and Policy 5 of Chapter 12 of the RPS identify an area of land between Christchurch City and a line extending from West Melton to Tai Tapu as having important landscape and amenity values. The RPS seeks to maintain this area in “rural and recreational” uses. Policy B1.4.17 of the District Plan addresses this issue.

General Policies

General policies that may be particularly relevant to expansion of Tai Tapu include:

Plan Section	Objectives / Policies	Issue
1.1 Land and Soil	Policy B1.1.8	Land around Tai Tapu contains “versatile soils” – LUC Class I or II
1.2 Water	Policy B1.2.1 and B1.2.5	Effects of stormwater disposal on water quality in Halswell River and other waterbodies. Reticulated sewage treatment and disposal.
1.4 Outstanding Natural Features and Landscapes	Policy B1.4.17	Landscape contrast with Christchurch City
2.1 Transport	Policy B2.1.18	Further expansion of a township which “straddles” a Strategic Road
4.3 Residential and Business Development	Town Form Policy B4.3.6	Expansion of townships in a compact shape.

WEST MELTON

Preferred Growth Option

Substantial growth is expected to take place in and around West Melton. The focal point of this growth will be either side of Weedons Ross Road north of State Highway 73, but not extending north of Halkett Road. A lesser extent of lower density residential development will occur south of State Highway 73. The township is serviced with reticulated sewerage. Any further development will also be expected to be serviced by a reticulated sewerage system.

Specific Policies

Policy B4.3.97

Provide a primary focus for new residential or business development north of State Highway 73 and south of Halkett Road, and to allow only a limited extent of new low density residential development south of State Highway 73.

Explanation and Reasons

West Melton has developed with community facilities on both the northern and southern sides of State Highway 73. Residential development has taken place north of the highway centred on Westview Crescent. The primary focus for future growth of the township is to be provided for north of the State Highway. Limited new residential growth will be enabled south of the highway but will be limited in extent and density to minimise effects on the safety and efficiency of the highway. A pedestrian/cycle link will also be provided under the highway to provide an alternative connection between the two areas. This pattern of growth is consistent with maintaining a consolidated form for the future growth of the township, and with Policy B2.1.18 and Town Form Policy B4.3.6.

Policy B4.3.98

Promote a consolidated pattern of future urban growth in West Melton.

Explanation and Reasons

West Melton's future growth is to adhere to a form of development which maintains a generally compact shape. While allowing a substantial amount of urban growth with higher densities north of State Highway 73, development south of the highway is to be limited in extent and density. This pattern is consistent with Town Form Policy B4.3.6.

Policy B4.3.99

Avoid using Laird Place or Westview Crescent as collector roads to access any significant new residential or business areas, in West Melton.

Explanation and Reasons

Westview Crescent and Laird Place are local roads that provide access to properties in the existing West Melton village. The Council prefers a new collector road off Weedons Ross Road to provide access to any new residential or business area on the west side of Weedons Ross Road, rather than any attempt to upgrade these roads. A small area of additional residential development will be provided for off Laird Place. This policy is consistent with Policy B2.1.8.

Policy B4.3.100

Promote new residential areas in West Melton that maintain the lower residential density of the existing village, where practical, whilst providing for the efficient and effective development of the Living WM zone.

Explanation and Reasons

West Melton village is an area with larger section sizes than those found in most townships in Selwyn District, particularly those close to Christchurch. Policy B4.3.100 recognises the character of the existing village and the support for larger section sizes in the Township survey results for West Melton (November 1998). A wide variety of lot sizes in response to market demand, have been provided for, but recognising the potential for West Melton to provide a lower density alternative living environment near Christchurch. However, the efficient and effective development of the Living WM zone must be provided for to achieve the anticipated residential growth for this zone.

Policy B4.3.101

Require any community reticulated sewage treatment and disposal system at West Melton to be designed so it can be connected to the public system when it becomes available.

Explanation and Reasons

Reticulated sewage treatment and disposal is required at West Melton (see Policy B1.2.5). A reticulated system is now available to cater for planned township growth. The Council prefers any community scheme used in the interim to be able to connect into the public system, so residents can transfer their responsibility for the maintenance and repair of their system to the Council. Any community reticulated scheme used at West Melton shall comply with Policy B2.2.4.

General Policies

General policies which may be particularly relevant to West Melton include:

Plan Section	Objectives / Policies	Issue
1.1 Land and Soil	Policy B1.1.8	Versatile soils are located to the south-west of the existing village, (LUC Class I and II)
1.2 Water	Policy B1.2.5	Protection zone for any new water supply
2.1 Transport	Policy B2.1.18	Township largely confined to one side of a Strategic Road
2.2 Utilities	Policy B2.2.1	An upgraded community water supply will be needed for new residential or business development at West Melton
2.4 Waste Disposal	Policies B2.4.2 and B2.4.5	Reticulated sewage treatment and disposal is needed
4.1 Residential Density	Policies B4.1.3 and B4.1.9	Residential density in new residential areas

WHITECLIFFS

Preferred Growth Option

The preferred option for residential or business development at Whitecliffs is to use sites within the existing Living 1A Zone, provided use of those sites complies with the District Plan policies.

Specific Policies

Policy B4.3.102

Encourage new residential or business activities to use sites in the existing Living 1A Zone, provided the use of any such site complies with Policy 3 and the policies of the District Plan.

Explanation and Reasons

There are many sites within the existing Living 1A Zone at Whitecliffs that are not currently used for residential or business activities. The preferred option for expansion of Whitecliffs is to utilise sites in the Living 1A Zone. This policy is consistent with the Town Form Policy B4.3.4. However, some sites within the Living 1A Zone of Whitecliffs may not be suitable for residential or business activities. Some areas are prone to flooding from stormwater runoff from the Malvern Hills. Some sites south of Whitecliffs Road are subject to erosion from the Selwyn River/Waikirikiri. Conventional on-site effluent treatment and disposal systems will not work on some sites due to ground conditions.

Policy B4.3.103

Ensure any land rezoned for new residential or business development does not create or exacerbate:

- **Inundation from stormwater running off the Malvern Hills;**
- **Landslip from the Malvern Hills; or**
- **Erosion of the Selwyn River/Waikirikiri Terrace on the south side of Whitecliffs Road.**

Explanation and Reasons

Sites within and around the Living 1A Zone at Whitecliffs may be subject to: flooding from stormwater ponding; erosion from slumping land on the Malvern Hills; or erosion by the Waikirikiri/Selwyn River. Any new business or residential development should not result in:

- Buildings being erected on land subject to flooding or erosion; or
- Increases in stormwater runoff on to other sites, including sites “downstream” of the Waikirikiri/Selwyn River; or
- Increases in the rate or risk of erosion on other land through protection works on that site.

This policy is consistent with Policy B3.1.2.

General Policies

General policies that may be particularly relevant to expansion of Whitecliffs, include:

Plan Section	Objectives / Policies	Issue
1.2 Water	Policy B1.2.6	On-site effluent treatment and disposal system
1.4 Outstanding Natural Features and Landscapes	Policies B1.4.13 and B1.4.14	Protect landscape values of Malvern Hills and natural character of Waikirikiri/Selwyn River
3.1 Natural Hazards	Policy B3.1.2	Flooding, landslip and erosion

B4.4 DEVELOPMENT CONTRIBUTIONS – ISSUES

The distribution of the costs between private parties and general rates for:

- Providing reserves and network and community infrastructure; and
- Mitigating the fiscal effects of providing growth related infrastructure

What are Development Contributions?

The term development contributions, defined in Section 197 of the Local Government Act 2002, means a contribution:

- a) provided for in a development contribution policy included in the long-term council community plan of a territorial authority; and
- b) calculated in accordance with the methodology; and comprising:
 - i) money;
 - ii) land, including a reserve or esplanade reserve (other than in relation to a subdivision consent), but excluding Maori land within the meaning of Te Ture Whenua Maori Act 1993, unless that Act provides otherwise; or
 - iii) both.

Development contributions can be taken to provide for:

- Reserves
- Network infrastructure
- Community infrastructure

In most cases provision for reserves (for open space and recreation), land for esplanade purpose, network infrastructure or community infrastructure is made at the time of subdivision of the land. However, in some instances land use development and activities are undertaken without associated subdivision of land.

Contributions of land and/or cash arising from growth-related development can be required by the Council either under the Resource Management Act by way of the District Plan or under the Local Government Act 2002 by way of a Development Contribution Policy in the Long Term Plan (LTP). The Council has developed a Development Contribution Policy within the requirements of the Local Government Act. Accordingly, the Council's requirements for land and/or cash for the provision of growth-related reserves and for network and community infrastructure are contained within the Development Contribution Policy and such contributions are no longer taken under the District Plan. Requirements for the provision of esplanade reserves/strips and provisions relating to environmental compensation and the form of land contributions are included within the Subdivision provisions of the District Plan, while requirements for the provision of financial contributions to mitigate environmental damage are included as policies in Part B Section 3, Peoples Health, Safety and Values.

Where costs are incurred in relation to maintenance of infrastructure or for improvements in service levels, these costs are met through targeted rates rather than development contributions. Therefore, the purposes for which development contributions are taken and the proportion of costs which are funded through development contributions is an important part of the Council's financial planning.

NOTE:

Esplanade reserves and strips – see Part B, Sections 1.3 and 2.3 and Part C, Sections 12 and 24 respectively.

DEVELOPMENT CONTRIBUTIONS – STRATEGY

The provision to take development contributions under the LTP Development Contribution Policy will be complimentary to the subdivision consent process. Esplanade reserves/strips will be taken under the subdivision consent process, while consideration of the form of land to be provided as reserves will also be considered at the time of subdivision.

The LTP Development Contribution Policy will ensure that those responsible for development and/or subdivision that places additional demands on the Councils provision of reserves and network or community infrastructure will contribute a fair and reasonable contribution towards the expansion of those services.

DEVELOPMENT CONTRIBUTIONS – OBJECTIVES

Objective 4.4.1

The parties creating the need for the expenditure meet the costs of establishing or upgrading reserves and network and community infrastructure and developing and enhancing the recreational and amenity values of the District.

Objective 4.4.2

The Council uses its discretion to take development contributions under the LTCCP Development Contribution Policy in a transparent and consistent manner.

Explanation and Reasons

Development contributions are taken to help address the fiscal effects which a new development may have on the existing ratepayers of an area. If development contributions are not taken, the costs of addressing these effects must be funded from general rates.

DEVELOPMENT CONTRIBUTIONS – POLICIES AND METHODS

Policy 4.4.1

To ensure that subdividers and/or developers meet the costs of any required provision of works and services as a result of land use development and/or subdivision.

Explanation and Reasons

The Council has decided that all development contributions for new or upgraded reserves or network and community infrastructure as a result of development and/or subdivision will be in accordance with the Development Contribution Policy under the LTCCP and the Local Government Act 2002. This Policy will enable the Council to ensure that those responsible for development and/or subdivision that places additional demands on the Council's provision of reserves and network or community infrastructure will contribute a fair and reasonable contribution to the provision and expansion of these services.

Methods

LTP

- Development Contribution Policy

District Plan

- Subdivision

DEVELOPMENT CONTRIBUTIONS — ENVIRONMENTAL RESULTS

The following environmental results should occur from implementing this section:

New developments and subdivisions which increase demand on the Council's reserves and network and community infrastructure contribute towards the cost of provision and expansion of them.

DEVELOPMENT CONTRIBUTIONS — MONITORING

See Appendix 1.

INTRODUCTION TO THE RULES

TYPES OF RULES

The rules in the district plan differ according to zoning. In the townships of the District, the zones are described as “Living” or “Business”.

The types of rules that apply to the Living and Business zones fall under two distinct categories. They are:

Rules for “Listed Activities” (Rules 1 and 13)

These rules specify that certain activities are permitted, discretionary or non-complying activities in particular zones.

In relation to a controlled, discretionary or non-complying activity that is listed, a resource consent is required irrespective of what any other rule in the plan may say.

The Business 3 zone at Lincoln specifies particular activities within that zone as permitted. This is the only zone within the townships of the District that adopts this approach. Permitted activity status is however reliant upon compliance with all other relevant rules in the plan.

“Effects Based” Rules (Rules 2 to 12, and 14 to 24)

These rules:

- List the conditions that determine whether an activity is a permitted activity; and Specify the status of an activity that does not comply with the conditions for a permitted activity. The effects based rules are set out under topic heading. For example, for the Living zones, Rule 2 relates to Earthworks and Rule 8 to Hazardous Substances.

Permitted activity status is however reliant upon compliance with all other relevant rules in the plan.

DEFERRED ZONES

In the Living Z Deferred zones shown on the Planning Maps, the provisions of the Rural (Inner Plains) zone shall apply until such time as an Outline Development Plan for the area has been made operative in the District Plan and sufficient infrastructure and servicing is available.

In the Living Z zones shown on the Planning Maps, any area shown within an Outline Development Plan as a Neighbourhood or Local Centre is subject to the provisions of the Business 1 zone.

In the Living Z zones shown on the Planning Maps, once the deferral is lifted the provisions of the ‘Medium Density areas’ shall apply to any individual allotment smaller than 500m² and the provisions of the Living 1 zone shall apply to any individual allotment larger than 500m².

RESOURCE CONSENTS

- Any proposed activity that is “controlled”, “restricted discretionary”, “discretionary” or “non-complying” requires a resource consent.
- Instructions for how to apply for a resource consent are included in Part A, Section 2.5 of the plan.
- When making a decision on a resource consent application, the consent authority (the Council) must consider certain matters as set out in the Act.
- For “controlled” and “restricted discretionary” activities, the only matters that may be considered are those stated under the relevant rule(s) of the Plan.
- For “discretionary” and “non-complying” activities, the matters are broader and include: any adverse effects on the environment; and the objectives and policies of the plan.
- A resource consent may not be applied for if an activity is specified as a “prohibited activity”.

DISCRETIONARY AND NON-COMPLYING ACTIVITIES

The Plan distinguishes between discretionary activities and non-complying activities according to the anticipated effects of the activity and how appropriate those effects may be to the particular zone.

A discretionary activity has effects that are generally appropriate to the zone depending on:

- the scale and nature of the activity; and
- the site and surrounding land uses; and
- how the activity is managed.

A non-complying activity has effects that are generally inappropriate to the zones, and that are therefore generally inconsistent with the objectives and policies of the zone. There may however be some instances where effects are atypical or minor, such that the activity is appropriate and resource consent is able to be granted.

The objectives and policies in the Plan describe effects that are, and are not, appropriate both generally and in specific zones.

READING THE RULES

Figure C1.1 shows a five-step guide to reading the rules and assessing whether an activity requires a resource consent. Figure C1.2 provides a specific six step guide for the Business 3 zone.

Remember:

Permitted Activity	A resource consent is not needed
Prohibited Activity	A resource consent cannot be applied for
All Other Activities	A resource consent is needed

- 4.9.8 Any dwelling shall be setback not less than 3 metres from an internal boundary in the Living 1A2, 1A3 and 1A4 Zones in Prebbleton.
- 4.9.9 For the Living 1A6 Zone in Prebbleton, no dwelling shall be sited within 5m of the north western common boundary with the Kingcraft Drive Existing Development Area, as identified in the ODP contained in Appendix 19.
- 4.9.10 Any dwelling in the Living 2A Zone in Prebbleton shall have:
- 4.9.10.1 A setback from any internal boundary other than the southern zone boundary of not less than 6 metres.
- 4.9.10.2 A setback from the southern zone boundary of not less than 20 metres.
- 4.9.11 Any dwelling shall be set back not less than 15 metres from the north eastern boundary of the Living 2A (Blakes Road) Zone.
- 4.9.12 Any dwelling shall be set back not less than 48.2m from the north eastern zone boundary of the Living 2A Zone in Prebbleton, as identified in Appendix 19.

West Melton

- 4.9.13 Any dwelling within the area shown in Appendix 20 (Living 1B and Living 2 zones) or Appendix 20A (Living WM Zone) shall be set back at least 40 metres from State Highway 73.
- 4.9.14 Any dwelling in the Living 2A Zone at West Melton shall have:
- 4.9.14.1 A setback from any internal boundary of not less than 6 metres.
- 4.9.14.2 A setback from any road boundary of not less than 10 metres.

Leeston

- 4.9.15 Any dwelling in the Living 2A Zone at Leeston shall have a setback from any Business Zone boundary of not less than 20 metres.

Living Z Medium Density areas located within an Outline Development Plan

- 4.9.16 Any dwelling or principal building shall be set back a minimum of 3m from any road boundary.
- 4.9.17 Where an allotment has legal access to a private Right of Way or shared access, any dwelling or principal building on that allotment shall be set back a minimum of 3m along the entire length of the boundary with that private Right of Way or shared access.
- 4.9.18 Any garage where a vehicle door faces the road, a private Right of Way or shared access shall be set back a minimum of 5.5m from the road boundary, private Right of Way, or shared access.
- 4.9.19 No garage or accessory building is to be located between the front facade of the dwelling and the road boundary, or the private Right of Way or shared access by which the allotment is accessed.
- 4.9.20 Any dwelling or principal building, excluding garages or accessory buildings, shall be set back a minimum of 2m from any internal boundary. Buildings may however be

sited along an internal boundary if the building shares a common wall with another building on an adjoining site.

4.9.21 No set back is required for any garage or accessory building from an internal boundary, provided that the total length of garages or accessory buildings adjacent to the internal boundary do not exceed 7m and provided those garages or accessory buildings comply with a 45 degree recession plane measured from 2.5m above ground level at the boundary.

4.9.22 All balconies at first floor level and above may only be located in a façade that faces a road boundary or an internal boundary shared with land vested or designated with Council for stormwater, recreation or esplanade reserve/ strip purposes.

4.9.22.1 Any windows at first floor level or above must:

- face a road boundary, or an internal boundary shared with land vested or designated with Council for stormwater, recreation or esplanade reserve/ strip purposes; or
- Be set back a minimum of 10m from an internal boundary; or
- Have a sill height of at least 1.6m above internal floor level; or
- Be obscure glazed, and either non-opening or top- hinged, and be associated with a bathroom, toilet, or hallway.

Temporary Activities

4.9.23 Rule 4.9.2 does not apply to the siting of any building, tent, caravan or trailer on a site if:

4.9.23.1 The building, tent, caravan or trailer is erected for a temporary activity; and

4.9.23.2 The building, tent, caravan or trailer is removed within 2 days of the activity ceasing.

4.9.24 Rule 4.9.2 does not apply to the siting of any building on a site which is for temporary accommodation associated with a construction project on the site if:

4.9.24.1 The building is removed within 12 months or when construction ceases, whichever is the shorter time.

Setback from Lincoln Sewerage Treatment Plant

4.9.25 Any dwelling in the Living 1A and Living Z Zone at Lincoln shall be setback not less than 150 metres from the boundary of the area designated for the Lincoln Sewage Treatment Plant, as identified on Planning Map 122.

Lincoln

4.9.26 Within the Living Z zone at Lincoln, ODP Area 5, Appendix 37, no dwelling or principal building shall be constructed within 50m of the Landscape Buffer located at the northern end of the Business 2B zone until appropriate noise attenuation measures, as determined by a suitably qualified noise expert and designed to achieve the noise standards contained in Rule 22.4.1.6 have been constructed.

Rolleston

- 4.9.27 Except for the Living 3 Zone at Rolleston identified on the Outline Development Plan in Appendix 39 and 40, and ODP Area 3 and ODP Area 8 in Rolleston, any dwelling, family flat, and any rooms within accessory buildings used for sleeping or living purposes shall be located no closer than 40m from the State Highway 1 carriageway. Except that this distance can be reduced where the dwelling, family flat, and any rooms within accessory buildings used for sleeping or living purposes has been acoustically insulated or subject to mounding or other physical barriers so that traffic noise from State Highway 1 is limited to levels set out below, with all external doors and windows closed:

	Day-time (0700-2200 hours)	Night-time (2200-0700 hours)
Within Bedrooms	35 dBA (Leq 1 hour)	30 dBA (Leq 1 hour)
Within Living Area Rooms	40 dBA (Leq 1 hour)	35 dBA (Leq 1 hour)

Living Area rooms means any room in a dwelling other than a room used principally as a bedroom, laundry, bathroom, or toilet.

- 4.9.28 In ODP Area 3 and ODP Area 8 in Rolleston, no dwellings shall be located closer than 40m (measured from the nearest painted edge of the carriageway) from State Highway 1.
- 4.9.29 In ODP Area 3 and ODP Area 8 in Rolleston, for any dwelling constructed between 40m and 100m (measured from the nearest painted edge of the carriageway) from State Highway 1:
- Appropriate noise control must be designed, constructed and maintained to ensure noise levels within the dwelling meet the internal design levels in AS/NZS2107:2000 (or its successor) – 'Recommended design and sound levels and reverberation times for building interiors';
 - Prior to the construction of any dwelling an acoustic design certificate from a suitable qualified and experienced consultant is to be provided to Council to ensure that the above internal sound levels can be achieved.
- 4.9.30 Any building in the Living 3 Zone at Rolleston (as shown on the Outline Development Plan in Appendix 39 and 40) shall be set back at least:
- i) 15 metres from any road boundary except that on corner lots a minimum setback of 10m applies to one road boundary;
 - ii) 5 metres from any other boundary
- 4.9.31 Any dwelling, family flat, and any rooms within accessory buildings used for sleeping or living purposes, and any internal areas associated with noise sensitive activities in the Living 3 Zone at Rolleston (as shown on the Outline Development in Appendix 39) shall be setback at least 80m from State Highway 1.

For the purposes of this rule, noise sensitive activities means any residential activity, travellers accommodation, educational facility, medical facility or hospital, or other land use activity, where the occupants or persons using such facilities may be likely

to be susceptible to adverse environmental effects or annoyances as a result of traffic noise from State Highway 1 over its location.

- 4.9.32 Any dwelling, family flat, and any rooms within accessory buildings used for sleeping or living purposes in the Living 3 Zone at Rolleston (as shown on the Outline Development Plan in Appendix 39 (Holmes Block) located outside the 'Odour Constrained Area' as shown in Appendix 40 (Skellerup Block)).

Special Character Low Density Areas (Living 1C zoning)

- 4.9.33 In Living 1C zoned areas, buildings shall have a setback from the road boundary of not less than 6m.

- 4.9.34 Dwellings and family flats shall be positioned at least 6m from any existing dwelling or family flat (or footprint of a planned dwelling or family flat for which a building consent has been granted within the previous 2 years).

An exception is where family flats are attached to the principal dwelling.

Restricted Discretionary Activities – Buildings and Building Position

- 4.9.35 Any activity which does not comply with Rule 4.9.1 shall be a restricted discretionary activity.

- 4.9.36 Under Rule 4.9.35 the Council shall restrict the exercise of its discretion to consideration of:

- 4.9.36.1 Any adverse effects of shading on any adjoining property owner; or on any road or footpath during winter.

- 4.9.37 Any activity which does not comply with Rule 4.9.2 and Rules 4.9.4 to 4.9.15 and 4.9.27 to 4.9.29 shall be a restricted discretionary activity.

- 4.9.38 Under Rule 4.9.37 the Council shall restrict the exercise of its discretion to consideration of:

4.9.38.1 Internal Boundary

Any adverse effects on the:

- (a) privacy
- (b) outlook
- (c) shading; or
- (d) amenity values

of the adjoining property, its occupiers and their activities; and

4.9.38.2 Road Boundary

Any adverse effects on:

- (a) the character of the street
- (b) safety and visibility of pedestrians, cyclists and motorists, and
- (c) shading of the road or footpath in winter;
- (d) methods to mitigate any adverse effects of traffic noise on the occupants of a dwelling; and

- 4.9.38.3 Any reverse sensitivity issues at the southern zone boundary of the Living 2A zone at Prebbleton.
- 4.9.38.4 In the Living 3 Zone at Rolleston as shown in Appendix 39, whether the building development meets the internal sound levels listed in the table below:

Type of Occupancy/Activity	Recommended Internal Design Sound Level (dBA Leq (24hr))
Dwelling/Family Flat/Accessory buildings – bedroom Within Bedrooms	35
All other habitable spaces	40
Noise Sensitive Activities	35

- 4.9.39 Any activity which does not comply with 4.9.33 or 4.9.34 shall be a restricted discretionary activity
- 4.9.40 Under rule 4.9.39 the Council shall restrict the use of its discretion to consideration of the unique spacious character of the area and its sensitivity to incongruous or closely spaced buildings.

Discretionary Activities – Buildings and Building Position

- 4.9.41 Any activity which does not comply with Rule 4.9.3 shall be a discretionary activity.

Non-Complying Activities – Buildings and Building Position

- 4.9.42 Any dwelling which does not comply with Rule 4.9.25 shall be a non-complying activity.
- 4.9.43 Erecting any new dwelling in the Countryside Area or the ‘Odour Constrained Area’ identified on the Outline Development Plan in Appendix 39 and 40.

4.10 RELOCATED BUILDINGS

Note: Any relocated building in the Living zones at Arthur’s Pass or Castle Hill is also subject to Rule 11.1.

Permitted Activities – Relocated Buildings

- 4.10.1 The erection of any relocated building shall be a permitted activity if one or more of the following conditions are met:
- 4.10.1.1 The relocated building is a garage or accessory building; or

- 4.10.1.2 The building is moved from one position to another within the same site; or
- 4.10.1.3 The building is relocated on to a site for a temporary activity and is removed from the site within 2 days of the activity ceasing; or
- 4.10.1.4 The building is relocated on to a site to provide temporary accommodation during a construction project on the site, and the building is removed from the site within the lesser of a 12 month period or when the construction work ceases.
- 4.10.1.5 The building is being relocated within or between schools.

Controlled Activities – Relocated Buildings

- 4.10.2 Any activity which does not comply with Rule 4.10.1 shall be a controlled activity which shall not be notified and shall not require the written approval of affected parties. The matters the Council has reserved control over are:
 - 4.10.2.1 The time period within which the building is to have its new foundations established and covered; and
 - 4.10.2.2 The time period within which any repair work to the exterior of the building is to be repaired; and
 - 4.10.2.3 The standard to which the exterior of the building is to be finished; and
 - 4.10.2.4 Whether any bond is required to cover the cost of reinstatement works in relation to matters listed under Rules 4.10.2.1 to 4.10.2.3, and the type of bond.

4.11 COMPREHENSIVE RESIDENTIAL DEVELOPMENT IN PREBBLETON

Discretionary Activities – Comprehensive Residential Development in Prebbleton

- 4.11.1 In the Living 1A5 Zone in Prebbleton, comprehensive residential development shall be a discretionary activity where Council shall take into account, but not be limited to, the following:
 - 4.11.1.1 Effects associated with the width, location, form and layout of accesses and roads on the amenity of the area;
 - 4.11.1.2 Effects of vehicle parking and garaging on the amenity of the area or the enjoyment of neighbouring properties;
 - 4.11.1.3 The ability to provide adequate vehicle parking and manoeuvring on the site;
 - 4.11.1.4 Impacts on the road network in traffic generation and traffic safety;

- 4.11.1.5 The extent to which levels of traffic generation or pedestrian activity will result that are incompatible with the character of the surrounding living environment;
- 4.11.1.6 Effects on the sense and spaciousness of the immediate area and wider neighbourhood;
- 4.11.1.7 The extent to which the scale, form, modulation, design, colours and materials of buildings will be compatible with other buildings in the surrounding area and will not result in visual dominance or incongruency;
- 4.11.1.8 The extent to which site layout and buildings have been designed to avoid adverse effects on the privacy, outlook, access to sunlight and daylight and other amenity values of neighbouring properties;
- 4.11.1.9 The amount of variety in design and size of dwellings on the site, in order to provide a choice of living accommodation;
- 4.11.1.10 Whether the dwellings are clustered in larger or smaller groups and the extent to which the grouping or spacing of dwelling units on the site leads to an attractive and varied development rather than a monotonous one;
- 4.11.1.11 The need for a 'step in plan' to be provided at 20 metre intervals along a continuous building wall in order to mitigate adverse effects of continuous 'building bulk' being close to the boundary of a neighbouring property;
- 4.11.1.12 The attractiveness of the street frontages of the site;
- 4.11.1.13 The extent to which mature vegetation is retained and the character of the site remains dominated by tree and garden plantings;
- 4.11.1.14 Privacy between habitable rooms of neighbouring dwellings;
- 4.11.1.15 The quality of landscaping and its effectiveness in mitigating adverse effects;
- 4.11.1.16 Impacts on the sense of spaciousness of the immediate area and wider neighbourhood;
- 4.11.1.17 The extent to which outdoor living space remains open and not contained or partitioned by fencing;
- 4.11.1.18 Whether the amount of outdoor living space is accessible to, and adequate for, the occupants of all dwellings and whether it will receive direct sunlight on the shortest day of the year.

4.12 COMPREHENSIVE RESIDENTIAL DEVELOPMENT IN LIVING Z MEDIUM DENSITY AREAS LOCATED WITHIN AN OUTLINE DEVELOPMENT PLAN

Restricted Discretionary Activities — Comprehensive Residential Development in Living Z Medium Density areas located within an Outline Development Plan

4.12.1 In a Living Z Medium Density area located within an Outline Development Plan, comprehensive residential development shall be a restricted discretionary activity, which shall not be notified and shall not require the written approval of affected parties. Under Rule 4.12.1 the Council shall restrict the exercise of its discretion to consideration of:

4.12.1.1 Context and Spaciousness

The extent to which comprehensive development responds to the existing context through:

- (a) Providing compatibility in scale between the new development and any neighbouring buildings;
- (b) Being oriented towards adjoining public spaces such as roads, parks, or reserves and presents a front façade with a good level of glazing. Visible pedestrian front entrances and low front fencing;
- (c) Providing dwellings which relate to each other and surroundings in terms of regularity of features such as window height and detailing and a consistency in roof slope and form.

4.12.1.2 Attractive Street Scene

The extent to which the public interface and external appearance of buildings in comprehensive developments:

- (a) Provides dwellings with visual interest when viewed from any public spaces through articulation, roof form, openings and window location;
- (b) Provides visible entry to the dwelling when viewed from the road or the main public access to the development;
- (c) Provides a good level of glazing and overlooking from habitable rooms towards the road and any adjacent public open spaces;
- (d) Building design provides a balance of consistency and variety in the street scene;
- (e) Provides open frontages which will not be enclosed by fences over 1m in height.

4.12.1.3 Dwelling design, position and orientation

The extent to which the dwelling design, position and orientation of buildings in comprehensive developments:

- (a) Locates and orientates dwellings to define external spaces, to allow adequate sunlight and daylight into main living rooms and private outdoor spaces;
- (b) Positions dwellings to ensure that dwellings front on to, and are accessed from, the road, private Right of Way, or shared accessways;
- (c) Positions dwellings to capitalise on any views or natural features;
- (d) Minimises the visual dominance of garaging and vehicle parking areas, especially as viewed from the street or public open spaces. The use of rear courtyards for parking is encouraged;
- (e) Incorporates attractive detailed design including provision of mailboxes and space for bin storage and collection;
- (f) Provides attractive and efficient shared parking where required.

4.12.1.4 Visual and acoustic privacy

The extent to which buildings in comprehensive developments achieve visual and acoustic privacy through:

- (a) Avoiding or minimising direct views from the windows of one dwelling into another at distances less than 20m through the use of the following design devices:
 - The shape and position of the buildings
 - The location of windows e.g. offset windows and high sill windows
 - Intervening screening e.g. 1.8 metre high fences (not on road boundary or frontage with accessways), hedges, trees
 - Screening devices on balconies to ensure that they do not overlook windows or private spaces
- (b) The provision of acoustic treatment between dwellings through enhancing separation between openings, effective solid acoustic screening and by locating noise sensitive spaces from noisy activities (e.g. separation of bedrooms from service areas and garages).

4.12.1.5 Private outdoor living spaces

The extent to which comprehensive developments provide private outdoor living spaces that:

- (a) Have the primary outdoor living space directly accessible from an internal living room;

- (b) Have any secondary outdoor living spaces such as balconies directly accessible from living rooms or bedrooms;
- (c) Are located so that the principle private outdoor living space will receive sunshine for a reasonable portion of the day in winter;
- (d) Are located so that the principle outdoor living space is not directly overlooked by windows or balconies of neighbouring dwellings;
- (e) The extent to which communal outdoor living space is provided within a comprehensively designed development and the functionality of that space for meeting the likely needs of future occupants;
- (f) Are located to the side or rear of the dwelling and not adjacent to the road boundary.

4.12.1.6 Safety and security

The extent to which comprehensive developments are designed to reduce the fear and incidence of crime through:

- (a) The avoidance of narrow alleyways and places of entrapment;
- (b) A clear definition between public and private spaces;
- (c) The ability to provide casual surveillance of public space from private property and vice versa.

4.12.1.7 Accessibility and connectivity

The extent to which comprehensive developments are designed for accessibility and connectivity through:

- (a) Providing for the safe and efficient movement of pedestrians, cyclists and motorised vehicles within and through the development and to surrounding residential areas and commercial and community facilities;
- (b) Providing direct pedestrian and cycle linkages from developments to and between any adjoining reserves and open spaces.

4.13 BUILDINGS AND STREETSCENE

Permitted Activities — Buildings and Streetscene

For all residential development located within the Lowes Road Outline Development Plan area (Appendix 34) or a Living Z zone

- 4.13.1 The maximum height of any fence between the front building façade and the street, or a private Right of Way or shared access over which the allotment has legal access, shall be 1m. For allotments with frontage to more than one road, any fencing on the secondary road boundary is to be no higher than 1.8m.

- 12.1.3.20 The subdivision of land shown in Appendix 35 shall be in accordance with the Outline Development Plan as shown that appendix.

In the Living 1 Zone at Lincoln, as shown in Appendix 35; any subdivision plans submitted to the Council shall be accompanied by a landscape plan and planting plan detailing plantings to be undertaken and reserve areas to be established. Landscaping and planting of reserve areas shall be established generally in accordance with the Landscape Concept Plans in Appendix 36 except for: the provision of a Ha-Ha fence identified on Sheet 3 of the Landscape Concept Plans; and that area of landscaping denoted as '3' on Sheet 3 of the Landscape Concept Plans shall be designed and establish to retain elements of visual outlook and connectivity to LII River.

- 12.1.3.21 The subdivision of the Living 1 Zone at Lincoln, as shown in Appendix 35 shall demonstrate the ability to achieve a minimum density of 10.5 lots/households per hectare over the whole of the Outline Development Plan area as shown in that appendix. Any subdivision not able to achieve that density shall be a non-complying activity.

- 12.1.3.22 In that part of the Living Z Zone located in Lincoln as depicted within the Outline Development Plan for ODP Area 5, Appendix 37, no subdivision shall occur within 50m of the Landscape Buffer located at the northern end of the Business 2B zone until appropriate noise attenuation measures, as determined by a suitably qualified acoustic expert and designed to achieve the noise standards contained in Rule 22.4.1.6, have been constructed.

Prebbleton

- 12.1.3.23 In the Living 1A, 1A1, 1A2, 1A3, 1A6, LX and 2A zones at Prebbleton, any subdivision is in general accordance with the respective concept and/or Outline Development Plans in Appendix 19; and

- 12.1.3.24 In the Living 1A3, 1A4 and 2A zones at Prebbleton, no allotment has vehicular access directly onto Springs Road, except for:

- (a) A road or indicative road identified on an Outline Development Plan in Appendix 19; or
- (b) Any allotments(s) that are wholly contained within the Banham & Tapp Outline Development Plan in Appendix 19, and containing an existing dwelling that utilises an existing vehicular access onto Springs Road; and

- 12.1.3.25 In the Living 1A5 Zone at Prebbleton, subdivision for comprehensive residential development shall be a restricted discretionary activity where a land use consent for a comprehensive residential development has been obtained.

- 12.1.3.26 In the Living 1A6 Zone, any subdivision plan submitted to the Council shall be accompanied by a landscape plan detailing plantings to be undertaken:

- a) Along the common boundary with the Kingcraft Drive Existing Development Area, in accordance with the ODP contained in

Appendix 19. At least 65% of the species identified on the landscape plan shall be from the list of species identified in Appendix 19. The deciduous tree species shall be a minimum of 1.5m in height at the time of planting and shall be at 10m centres. Native shrubs shall provide under planting to this tree row and shall be spaced at no more than 3m centres and that this area is to be fenced along all boundaries. The native shrubs shall form a continuous screening and obtain a mature height of approximately 2.5-3m.

- b) Along the common boundary with Lot 1 DP 46168 (Meadow Mushrooms), in accordance with the ODP, contained in Appendix 19. At least 65% of the species from the landscape plan shall be from the list of deciduous tree species identified in Appendix 19. The deciduous tree species shall be a minimum of 1.5m in height at the time of planting and shall be at 10m centres.
- c) Within any reserve adjacent to a residential allotment, in accordance with the ODP, in Appendix 19. At least 65% of the species from the required plan shall be from the list of species identified in appendix 19. the deciduous tree species shall be a minimum of 1.5m in height at the time of planting and shall be at 10m centres.
- d) And any subdivision of land within the area shown in Appendix 19 shall be in accordance with the development plan shown in that Appendix. Prior to the issue of any completion certificate under section 224 of the Act, a restrictive covenant in the form of an appropriate legal instrument acceptable to the Council shall be registered in favour of the Council requiring:
 - (i) The ongoing maintenance and retention of the landscape mitigation in accordance with the approved landscape plan; and
 - (ii) The restriction of buildings within the landscape buffer identified in the Appendix 19 ODP.

12.1.3.27 In the Living 1A6 Zone, any fencing proposed along the common boundary of the Kingcraft Drive Existing Development Area and fronting onto Blakes Road shall be limited to post and wire fencing.

12.1.3.28 In the Living 1A6 Zone, any fencing along a boundary adjoining a reserve or pedestrian accessway shall be limited to a height no greater than 1.2m.

12.1.3.29 In the Living 2A Zone at Prebbleton, the maximum number of allotments is 32, and the maximum number of lots on the south side of Trices Road is 8; and

12.1.3.30 In relation to the Living 2A (Blakes Road) Zone at Prebbleton, Lots 56, 57, 59 and 60 shall have no vehicular access directly on to Blakes Road; and

12.1.3.31 In the Living 2A (Blakes Road) Zone at Prebbleton, the roads and walkways are laid out and formed in substantial accordance with the development plan in Appendix 19. No kerb and channel is constructed

over the site beyond the entrance to the site and areas identified in the development plan as requiring footpaths. A footpath between the Living 2A (Blakes Road) Zone and connecting into the existing Prebbleton footpath of Blakes Road is laid and formed.

12.1.3.32 For the Living 2A Zone at Prebbleton, prior to the issue of any completion certificate under section 224 of the Act for subdivision of Certificate of Title CB41C/255 (comprising part of the land shown on the Outline Development Plan for the Shaw Block in Appendix 19) a restrictive covenant over the remaining Rural (Inner Plains) zoned land in the form of an appropriate legal instrument acceptable to the Council shall be registered in favour of the Council, the Canterbury Regional Council and the Christchurch City Council to prevent subdivision of the remaining Rural (Inner Plains) zoned land below 4 hectares.

12.1.3.33 In the Living 2A (Blakes Road) Zone, any subdivision of land within the area shown in Appendix 19 shall be in substantial accordance with the development plan shown in that Appendix. Prior to the issue of any completion certificate under section 224 of the Act, a restrictive covenant in the form of an appropriate legal instrument in a form acceptable to the Council shall be registered in favour of the Council and the Canterbury Regional Council and the Christchurch City Council to prevent the further subdivision of Lots 1-7 on the development plan in Appendix 19.

Rolleston

12.1.3.34 Any subdivision of land within the area shown in Appendix 39 and 40 (Living 3 Zone at Rolleston) complies with:

- a) the Countryside Area layout of the Outline Development Plan at Appendix 39 and 40;
- b) the location of the Lower Density Area as shown on the Outline Development Plan at Appendix 39 and 40;
- c) the establishment of shelterbelt planting comprising three rows of Leyland Cypress along the common boundary with Lot 3 DP 20007 in accordance with the Outline Development Plan at Appendix 40;
- d) the roading layout of the Outline Development Plan at Appendix 39 and 40;
- e) where any conflict occurs with Rule E13.3.1 the cross sections in Appendix 39 and 40 shall take precedence; and
- f) full public access is maintained to internal roads so that the area shown on the Outline Development Plan in Appendix 39 and 40 does not become a gated community.

12.1.3.35 (a) In respect of the land identified at Appendix 39 (Holmes Block), no more than 97 rural residential allotments may be created;

(b) In respect of the land identified at Appendix 40 (Skellerup Block), no more than 51 rural residential allotments may be created and no subdivision shall take place to densities less than what are provided for under the Rural (Outer Plains) Zone until:

- (i) a publicly owned sewerage reticulation system has been extended to the site.

12.1.3.36 Any subdivision application within the Living 3 Zone west of Dunns Crossing Road that includes any part of the Countryside Areas as identified on the Outline Development Plan included at Appendix 39 and 40 shall be accompanied by a Countryside Area Management Plan which addresses the following matters:

- (a) The ownership and management structure for the Countryside Area(s);
- (b) Mechanisms to ensure that the management plan applies to and binds future owners;
- (c) The objectives of the proposed rural use of the Countryside Area(s);
- (d) Identification of the rural activity or activities proposed for the Countryside Area(s), which meet the above objectives;
- (e) Measures to maintain and manage open space and/or rural character;
- (f) Measures to manage plant pests and risk of fire hazard;
- (g) Measures to internalise adverse effects including measures to avoid nuisance effects on occupiers of adjacent rural residential allotments;
- (h) Measures to provide for public access within the Countryside Area(s) along Dunns Crossing Road; and
- (i) Whether there is sufficient irrigation water available to provide surety of crop within the Countryside Area(s).

Springston

12.1.3.37 In relation to the Living 1A Zone at Springston:

- (a) only one access point is provided to Ellesmere Junction Road
- (b) when the single access point is created, the following formation aspects are developed on Ellesmere Junction Road:
 - Southern side: a 2.5 metre wide deceleration lane consisting of two 50 metre long taper lengths and a 50 metre straight.
 - Northern side: a 2.5 metre wide deceleration lane consisting of two 50 metre long taper lengths and a 30 metre straight; and

West Melton

12.1.3.38 Any subdivision of land within the area shown in Appendix 20 (Living 1, Living 1B, Living 2, Living 2A or Rural Zones) or Appendix 20A (Living WM Zone) at West Melton complies with the layout and contents of the Outline Development Plan shown in Appendix 20 and Appendix 20A respectively; and

12.1.3.39 Any subdivision of land within the area shown in Appendix 20 and 20A shall:

- (a) provide a bund for mitigation of traffic noise along the frontage of State Highway 73 to a height of not less than 2 m and a width of not less than 8.5 m, which shall be landscaped by retention of existing hedges or new planting of sufficient height to visually screen dwellings from the highway;
- (b) if it is within the area shown in Appendix 20, provide a pedestrian/cycle underpass beneath State Highway 73 between the Living 1 and Living 2 Zones, prior to titles being issued for more than 30 dwellings in the Living 2 Zone.
- (c) if it is within the area shown in Appendix 20A, be subject to an Accidental Discovery Protocol where in the event of any discovery of suspected cultural/archaeological remains (e.g. concentrations of shell, charcoal or charcoal-stained soil, fire-fractured stone, bottles, pieces of glass or ceramics, bones etc) during the undertaking of earthworks and/or the installation of services, the following protocol shall be followed by the consent holder, or his/her representative:
 - Cease all earthworks immediately; and
 - Contact the local Runanga being Te Taumutu Runanga; and
 - Contact the Regional Archaeologist at the Christchurch office of the New Zealand Historic Places Trust (03 365 2897); and
 - Do not commence earthworks until approval in writing has been given by the Regional Archaeologist of the New Zealand Historic Places Trust, as required under the Historic Places Act 1993.

12.1.3.40 In the Living 2A Zone at West Melton, the maximum number of allotments is 10.

12.1.3.41 No subdivision of land in the Living WM Zone shall take place until:

- (a) A reticulated community potable water supply is available which is capable of serving the entire lots within the subdivision; and
- (b) A reticulated community sewage effluent treatment and disposal system is available which is capable of serving the entire lots within the subdivision; and
- (c) An Outline Development Plan has been incorporated into the District Plan for the development of all land zoned Living WM west of Weedons Ross Road.
- (d) An archaeological assessment has been undertaken by a suitably qualified expert and the results reported to the Council, the Regional Archaeologist at the New Zealand Historic Places Trust, and the iwi organisations Te Ngai Tuahuriri and Te Taumutu Runanga. In carrying out the assessment, the expert is to consult with the iwi organisations

Outline Development Plans

- 12.1.3.42 Any subdivision within a Living Z Zone that is subject to an operative Outline Development Plan within the District Plan shall be in general compliance with that Outline Development Plan and shall comply with any standards referred to in that Outline Development Plan.

Table C12.1 – Allotment Sizes

Township	Zone	Average Allotment Size Not Less Than
Arthur's Pass	Living 1	The size needed for on-site effluent disposal but not less than 800m ²
Castle Hill	Living 1A	500m ² , and a minimum <u>allotment</u> size of 350m ²
Coalgate	Living 1	The size needed for on-site effluent disposal but not less than 800m ²
	Living 2	1 ha
Darfield	Living 1	650m ²
	Living 2	5,000m ²
	Living 2 (Deferred)	Refer to Subdivision – General Rules. 5,000m ² if criteria met.
	Living 2A (Deferred)	Refer to Subdivision – General Rules. 1 ha if criteria met.
	Living 2A1	2 ha
	Living X (Deferred)	Refer to Subdivision – General Rules. What the subdivider nominates, but not less than the average for the Living 1 Zone in the <u>township</u> (650m ²) if criteria met.
Doyleston	Living 1	650m ²
Dunsandel	Living 1	The size needed for on-site effluent disposal but not less than 800m ²
	Living 2	1 ha
	Living (Area A) (Deferred)	Refer to Subdivision – General Rules. Final density still to be determined.
	Living (Area B) (Deferred)	Refer to Subdivision – General Rules. Final density still to be determined.
Glenntunnel	Living 1	The size needed for on-site effluent disposal but not less than 800m ²
Hororata	Living 1	The size needed for on-site effluent disposal but not less than 800m ²

- c) Whether rural landscape, visual and amenity value characteristics of the Countryside Area(s) are able to be maintained;
- d) The extent to which potential adverse nuisance effects on occupiers of adjacent rural residential allotments will be internalised within the Countryside Area(s);
- e) The extent to which adverse effects of plant pests and fire hazard risks will be avoided or remedied; and
- f) The suitability of proposed access within the Countryside Area(s) along Dunns Crossing Road.

Rolleston Special Character Low Density Areas (Living 1C zoning)

12.1.4.75 In the Living 1C zoned area adjacent to Waterbridge Way, that the subdivision would not require the piping of a water-race or its relocation away from the path shown in the Lowes Road Outline Development Plan unless:

- a) an alternative path of equal prominence is provided;
- b) the water-race is landscape to a standard equivalent to surrounding landholdings.

Except that the above shall not apply to any part of the water race which is greater than 12m from the legal road boundary.

In the assessment of this matter, consideration should be given to the likely size, shape and location of any dwellings to be built on the new lots.

12.1.4.76 In the Living 1C zoned area adjacent to Waterbridge Way, that the subdivision design minimizes the need for additional crossings of the water races by sharing accessways where possible.

Where new crossings are required, the assessment shall take into account:

- a) The extent to which the crossing would be of similar design, materials and colour to the existing bridges on Waterbridge Way.
- b) The visibility within the streetscene of the crossing.
- c) The extent to which the design would complement the special character of its surroundings.

12.1.4.77 In Living 1C zoned areas in Fairhurst Place, that the subdivision would not require the removal of street trees in order to provide access.

Tai Tapu

- 12.1.4.78 If the land to be subdivided is located in an area which is identified on the planning maps as being in the Living 1A or Living 2A zones at Tai Tapu:
- (a) Whether the subdivision of land or subsequent use of the land is likely to cause or exacerbate potential risk to people or damage to property; and
 - (b) Any measures proposed to mitigate the effects of a potential natural hazard, including:
 - Building platforms within each allotment, of sufficient size to accommodate a dwelling and associated curtilage; and
 - The filling (with inert hardfill) of any low lying area; and
 - (c) How adequate and appropriate any such mitigation measures may be, and the mechanisms to secure any such measures.

Restricted Discretionary Activities – Subdivision – West Melton

12.1.5 The following activities shall be restricted discretionary activities:

- 12.1.5.1 Any subdivision subject to Rule 12.1.1 which does not comply with Rule 12.1.3.38.
- 12.1.5.2 The exercise of discretion shall be restricted to the matters listed in 12.1.5.3 to 12.1.5.6 below.
- 12.1.5.3 Whether any amendments to the roading pattern will retain connectivity and avoid piecemeal and uncoordinated subdivision patterns;
- 12.1.5.4 Whether any amendments to the subdivision would still enable efficient and coordinated provision of services;
- 12.1.5.5 Whether any amendments to the subdivision layout will provide adequately for reserves, pedestrian or cycle linkages;
- 12.1.5.6 Whether any amendments to the subdivision will ensure that there are not an excessive number of lots reliant on a single access point to an adjoining road.

Discretionary Activities – Subdivision – General

12.1.6 The following activities shall be discretionary activities:

- 12.1.6.1 Any subdivision subject to Rule 12.1.1 which does not comply with Rules 12.1.3.9 or 12.1.3.10.
- 12.1.6.2 Any subdivision subject to Rule 12.1.1 which does not comply with Rule 12.1.3.13.
- 12.1.6.3 Any subdivision in the Living 2 Zone at Coalgate or Dunsandel with an average allotment size of less than 1 hectare.

13 BUSINESS ZONE RULES — STATUS OF ACTIVITIES

13.1 STATUS OF ACTIVITIES

Note: Development contributions under the LTP Development Contribution Policy will be taken where network infrastructure, community infrastructure or reserves have to be constructed or expanded as a direct result of growth from development. Refer to Section B4.4 for further information on development contributions.

In the Living Z zones, any area shown within an Outline Development Plan as a Neighbourhood or Local Centre is subject to the provisions of the Business 1 Zone, with a consent notice or similar mechanism to be registered on the Certificate of Title for these lots advising owners that the lot is subject to the Business 1 rule package.

Permitted Activities — Status of Activities

13.1.1 The following activities shall be permitted activities in Business 1, 1A, 1B, 2 and 2A Zones:

13.1.1.1 Any activity which complies with all of the provisions of Rules 14 to 23 inclusive relating to permitted activities, and which is not listed in Rule 13.1.3, 13.1.4 or 13.1.5 as a controlled, discretionary or non-complying activity.

13.1.2 The following activities shall be permitted activities in the Business 2B Zone:

13.1.2.1 Any of the activities listed in (a) to (h) below subject to compliance with the conditions for permitted activities in Rules 14 to 23.

- (a) Any industry or goods storage which does not require an Offensive Trade Licence under the Health Act 1956
- (b) Retailing of: goods produced on the site, building or plumbing supplies, automotive parts, electrical parts, mechanical parts, gardening supplies, vehicles, boats, caravans, machinery sales, farm supplies, vehicle servicing premises, service trade premises, builders yards and cafes/lunchbars
- (c) Public utilities
- (d) Car Parking.
- (e) Hire of Equipment
- (f) Emergency Services Facilities
- (g) Meteorological Activities
- (h) Offices which are ancillary to permitted activities.

13.1.3 The following activities shall be permitted activities in the Business 3 Zone:

13.1.3.1 Any of the activities listed in (a) to (e) below subject to compliance with the conditions for permitted activities in Rules 14 to 23.

- (a) Tertiary education
- (b) Research
- (c) Support services ancillary to the operation of any education and/or research facility.
- (d) Quarantine facilities
- (e) Residential facilities limited to those existing at the time of public notification of this plan or limited to the operation of, or associated with any education and/or research facility.

Controlled Activities – Status of Activities

13.1.4 Within the Business 2A Zone the following activities shall be controlled activities, irrespective of whether they comply with the conditions for permitted activities in Rules 14 to 23.

- (a) Meat processing
- (b) Cement manufacture
- (c) Hot mix, asphalt paving manufacture
- (d) Glass or fibreglass manufacture
- (e) Foundry processes, electroplating works, melting of metal, steel manufacture and galvanising
- (f) Natural gas, oil or petroleum distillation or refining
- (g) Manufacture of hardboard, chipboard or particle board
- (h) Timber treatment
- (i) Thermal power generation
- (j) Any other industry using the combustion of coal, wood or any other bio-mass for space heating or as a source of energy.

13.1.5 Under Rule 13.1.4 the Council shall restrict the exercise of its discretion to:

13.1.5.1 The conditions for permitted activities in Rules 14 to 23.

13.1.5.2 Any potential nuisance effects arising from dust, odour, smoke and noise.

Discretionary Activities — Status of Activities

- 13.1.6 The following activities shall be discretionary activities in Business 1 and 1A Zones:
- 13.1.6.1 Any activity which is specified in Rules 14 to 23 as a discretionary activity.
 - 13.1.6.2 Any of the activities listed in (a) to (c) below, irrespective of whether they comply with the conditions for permitted activities in Rules 14 to 23.
 - (a) Generation of energy for distribution.
 - (b) Mineral exploration.
 - (c) Temporary storage of solid or liquid waste delivered or conveyed onto the site.
- 13.1.7 The following activities shall be discretionary activities in Business 2 and 2A Zones:
- 13.1.7.1 Any activity which is specified in Rules 14 to 23, as a discretionary activity.
 - 13.1.7.2 Any of the activities listed in (a) to (g) below, irrespective of whether they comply with the conditions for permitted activities in Rules 14 to 23.
 - (a) Any activity that requires an offensive trade licence issued under the Health Act 1956.
 - (b) Audible bird-scaring devices
 - (c) Forestry
 - (d) Mineral exploration
 - (e) Composting or disposal on to land of any organic matter
(This rule does not apply to the application of compost or organic fertilizers to fertilise gardens or land).
 - (f) Visitor accommodation
 - (g) Hospitality activities
 - (h) Tannery, fellmongering or hide curing, wool scouring or washing in the Business 2A Zone
 - (i) Scrap yards – including automotive dismantling or wrecking yard or scrap metal yard in the Business 2A Zone.
- 13.1.8 The following activities shall be discretionary activities in the Business 3 Zone:
- 13.1.8.1 Any activity which is specified in Rules 14 to 23 as a discretionary activity.
 - 13.1.8.2 Any activity which is not listed as either:
 - (a) A non-complying activity under Rule 13.1.12; or
 - (b) A permitted activity under Rule 13.1.2.1.

- 13.1.9 The following activities shall be discretionary activities in the Business 2B Zone:
- 13.1.9.1 Any activity which is specified in Rules 14 to 23 as a discretionary activity.
- 13.1.9.2 Any activity which is not listed as either:
- (a) A non-complying activity under Rule 13.1.1.11; or
 - (b) A permitted activity under Rule 13.1.2.

Non-Complying Activities – Status of Activities

- 13.1.10 The following activities shall be non-complying activities in Business 1 and 1A Zones:
- 13.1.10.1 Any activity which is specified in Rules 14 to 23 as being a non-complying activity.
- 13.1.10.2 Any of the activities listed in (a) to (i) below, irrespective of whether they comply with the conditions for permitted activities in Rules 14 to 23.
- (a) Any activity that requires an offensive trade licence issued under the Health Act 1956
 - (b) Plantations
 - (c) Manufacture and/or disposal of any hazardous substance
 - (d) Mining or quarrying
 - (e) Correction facility
 - (f) Treatment and/or disposal of solid or liquid waste delivered or conveyed onto the site
 - (g) Industrial activity
 - (h) Transport depots
 - (i) Residential activity in the Business 1 Zone at Prebbleton occupying more than 50% of the gross floor area of all buildings on the site (excluding underground car parking).
- 13.1.11 The following activities shall be non-complying activities in Business 2, 2A and 2B Zones:
- 13.1.11.1 Any activity which is specified in Rules 14 to 23 as being a non-complying activity.
- 13.1.11.2 Any of the activities listed in (a) to (c) below, irrespective of whether they comply with the conditions for permitted or discretionary activities in Rules 14 to 23.
- (a) Mining or quarrying
 - (b) Correction facility
 - (c) Treatment or disposal of solid or liquid waste delivered or conveyed onto the site.
- 13.1.12 The following activities shall be non-complying activities in the Business 3 Zone:
- 13.1.12.1 Any activity which is specified in Rules 14 to 23 as being a non-complying activity.

- 13.1.12.2 Any of the activities listed in (a) to (d) below, irrespective of whether they comply with the conditions for permitted activities in Rules 14 to 23.
- (a) Any activity that requires an offensive trade licence under the Health Act 1956
 - (b) Mining or quarrying
 - (c) Correction facility
 - (d) Treatment or disposal of solid or liquid waste delivered or conveyed onto the site.

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16 BUSINESS ZONE RULES — BUILDINGS

16.1 BUILDINGS AND LANDSCAPING

Permitted Activities — Buildings and Landscaping

16.1.1 Except as provided in Rules 16.1.2 to 16.1.5 any principal building shall be a permitted activity if the area between the road boundary and the principal building is:

16.1.1.1 Paved or sealed; or

16.1.1.2 Planted in lawn; or

16.1.1.3 Landscaped with shrubs, bark chips or similar materials; or

16.1.1.4 For the purpose of screening in the Business 2 and 3 zones, landscaping methods listed in 16.1.1.1 to 16.1.1.3 are employed.

Note: *landscaping requirements apply to new activities established in a zone. The rules do not apply to existing activities which meet the criteria for existing users under section 10 of the Act.*

16.1.2 Any principal building in the Business 2A Zone shall be a permitted activity if the following standard is met:

16.1.2.1 A landscaping strip of at least 3 metres width shall be provided along every road frontage except along the frontage with Railway Road. The landscaping shall meet the following standards:

(a) The landscaping shall consist of only those species listed in Appendix 21. Planting for each allotment shall include:

- A minimum of two trees from Group A for every 10 metres of road frontage. For boulevard roads the species selected shall match any Group A species in the adjacent road reserve.
- At least 35% of the required area shall be planted in species from Group C.
- At least 10% of the required area shall be planted in species from Group D.
- Group B and C species shall be used when screening tall blank walls and vehicle courts.

(b) All plants shall be of the following maximum spacings:

- Group B – 1.5 metre centres;
- Group C – 1.5 metre centres;
- Group D – 700mm centres.

(c) The landscaping planted shall be maintained and if dead, diseased or damaged shall be removed and replaced.

- (d) No fences or structures shall be erected within the 3 metre landscaping strip. Footpaths of up to 1.5m in width and generally at right angles to the road frontage may be provided in the landscape strip.
- (e) All new planting areas shall be mulched.

16.1.3 Any principal building in that part of the Business 2 Zone located south of Jones Road, Rolleston, as shown on the Landscape Development Plan at Appendix 28 shall be a permitted activity if the following standards are met:

16.1.3.1 The area between the common boundary of the Business 2 Zone and the railway reserve, as depicted on the Landscape Development Plan at Appendix 28, and the principal building shall be landscaped to the following standards:

- (a) A landscaping strip shall be established along the Business 2 Zone side of the common boundary to a depth of 10 metres.
- (b) Landscape planting, an irrigation system, and boundary fencing shall be undertaken in accordance with the Landscape Development Plan at Appendix 28.
- (c) The Cupressus hedge on the inner part of the landscape strip shall achieve, once matured, a minimum height of 2.5 metres.
- (d) The landscaping planted shall be maintained, and if dead, diseased, or damaged, shall be removed and replaced.
- (e) No accessory buildings, fences, or structures shall be erected within the 10 metre landscape strip, except in accordance with the Landscape Development Plan at Appendix 28.

16.1.3.2 Before any principal building is erected on any parcel of land subject to Rule 16.1.3.1, all of the landscape planting, irrigation system, and fencing shown on the Landscape Development Plan at Appendix 28 on that allotment shall be completed.

16.1.4 Any principal building in that part of the Business 2 Zone located south of Jones Road and adjoining Hoskyns Road, Rolleston, as shown on the Business 2 Outline Development Plan (Hoskyns Road) Rolleston at Appendix 32 if the following standards are met:

16.1.4.1 The area between the common boundary of the Business 2 Zone and the railway reserve, as depicted on the Outline Development Plan at Appendix 32, and the principal building shall be landscaped to the following standards:

- A landscaping strip shall be established along the Business 2 Zone side of the common boundary to a depth of 5 metres.
- Landscape planting, an irrigation system and boundary (chain link and stock) fencing shall be undertaken in accordance with the Outline Development Plan at Appendix 32. Irrigation is to be provided for a minimum of 2 years following the establishment of the landscaping.
- The Lemonwood (*Pittosporum eugenoides*) hedge on the landscaping strip shall achieve, once matured, a minimum height of 3 metres

- The landscaping planted shall be maintained and if dead or diseased or damaged, shall be removed and replaced.
- Specimen trees shall be a minimum height of 2 metres at planting.
- The existing English Oaks (*Quercus robur*) at the eastern end of the site to be retained, maintained and secured within a fenced 5 metre wide compound extending from the end of the proposed landscape strip.
- No accessory buildings, fences, or structures shall be erected within the 5 metre landscape strip, except in accordance with the Outline Development Plan at Appendix 32.

16.1.4.2 Before any principal building is erected on any parcel of land subject to Rule 16.1.4, all of the landscape planting, irrigation system and fencing shown on the Outline Development Plan at Appendix 32 on that allotment shall be completed.

16.1.5 Any principal building within the Business 2B Zone shall be a permitted activity if the following standards are met:

16.1.5.1 A landscape strip of at least 5m width shall be established and maintained along the Springs Road frontage of every site, comprising one *Podocarpus totara* tree for every 5m of the road frontage, 1.5m high (when planted), which is capable of growing to at least 15m height at maturity.

16.1.5.2 A landscape strip of at least 3m width shall be established and maintained along all other boundaries of the Business 2B and Outer Plains zone, comprising one *Podocarpus totara* tree for every 10m, 1.5m high (when planted), which is capable of growing to at least 15m height at maturity, with spacing of no less than 5m and no greater than 15m.

16.1.5.3 Before any principal building is erected on any parcel of land subject to rule 16.1.5.1 to 16.1.5.2, all of the required landscape planting on that allotment shall be completed.

16.1.5.4 The landscaping planted shall be maintained, and if dead, diseased or damaged, shall be removed and replaced.

Discretionary Activities – Buildings and Landscaping

16.1.6 Any principal building which does not comply with Rule 16.1.1 shall be a discretionary activity.

Non-Complying Activities – Buildings and Landscaping

16.1.7 Any principal building which does not comply with Rule 16.1.2, 16.1.3, 16.1.4 or 16.1.5 shall be a non-complying activity.

16.2 BUILDINGS AND CONTAMINATED LAND

Refer to Rule 22.1 – Activities and Contaminated Land.

16.3 BUILDINGS AND WATER SUPPLY

Permitted Activities – Buildings and Water Supply

- 16.3.1 In all Business zones the erection of any dwelling or principal building connected to a reticulated water supply shall be a permitted activity, provided that it complies with the current New Zealand Drinking Water Standards, except where it can be demonstrated that the use of the principal building in the Business 3 Zone does not require such a supply.

Non-Complying Activities – Buildings and Water Supply

- 16.3.2 Any activity which does not comply with Rule 16.3.1 shall be a non-complying activity.

16.4 BUILDINGS AND SEWAGE TREATMENT AND DISPOSAL

Permitted Activities – Buildings and Sewage Treatment and Disposal

- 16.4.1 In the Business zones at Castle Hill, Doyleston, Leeston, Lincoln, Prebbleton, Rolleston and Southbridge, the erection of any dwelling or principal building shall be a permitted activity provided that it is connected to a reticulated sewage treatment and disposal system, unless, in the case of a principal building other than a dwelling within the Business 3 Zone, the intended use of that building does not generate sewage.
- 16.4.2 In all other Business zones in the District, dwellings shall be permitted activities provided that they are serviced by on-site effluent treatment and disposal systems.

Notes

1. A discharge permit is required from Environment Canterbury to dispose of sewage on-site at Darfield.
2. If the Council and the community decide to install a reticulated sewage treatment and disposal system in an area presently unserved, under the Local Government Act 1974, the Council may require existing principal buildings to connect.

16.5 BUILDINGS AND SITE COVERAGE

Permitted Activities — Buildings and Site Coverage

- 16.5.1 The erection of any building in the Business 1A Zone at Castle Hill shall be a permitted activity if the site coverage does not exceed 50%.
- 16.5.2 In the Business 1 Zone at Rolleston bounded by Rolleston Drive, State Highway 1 and Dick Roberts Place, the following shall be permitted activities:
- 16.5.2.1 The erection of any building, or redevelopment, involving more than 2,500 square metres of gross leaseable floor area where the site coverage does not exceed 35%.
- 16.5.2.2 The erection of any building or redevelopment involving less than 2,500 square metres of gross leaseable floor area where the site coverage does not exceed 50%.

Restricted Discretionary Activities — Buildings and Site Coverage

- 16.5.3 Any activity that does not comply with Rule 16.5.2.1 shall be a restricted discretionary activity. The exercise of the discretion shall be limited to consideration of:
- 16.5.3.1 Any adverse effects of the building or redevelopment on the amenity of adjoining or nearby Living areas;
- 16.5.3.2 Any adverse effects from the visual appearance of the building or redevelopment, the extent and effectiveness of the proposed planting of trees in screening car parking areas and the visual appearance of the building/redevelopment from adjoining or nearby residences.

Non-Complying Activities — Buildings and Site Coverage

- 16.5.4 Any activity that does not comply with Rule 16.5.1 and 16.5.2.2 shall be a non-complying activity.

16.6 BUILDINGS AND BUILDING HEIGHT AND REFLECTIVITY

Permitted Activities — Buildings and Building Height and Reflectivity

16.6.1 Any building or structure which complies with the maximum height standards set out in Table C16.1 shall be a permitted activity.

Table C16.1 – Maximum Heights of Buildings and Structures

Zone	Building	Structure
Business 1 Zone	10 metres	25 metres
Business 1 Zone in Prebbleton (except Lots 1 and 2 DP 17591 and Lot 1 DP 13679)	8 metres (plus roof allowance)	25 metres
Lots 1 and 2, DP 17591 and Lot 1 DP 13679 in the Business 1 Zone at Prebbleton	10 metres (plus roof allowance)	25 metres
Business 1A Zone	8 metres	20 metres
Business 2 Zone	15 metres	25 metres
Business 3 Zone	30 metres	30 metres

Notes:

Height for either a building(s) or structure(s) is measured vertically from the ground surface to the highest point of the building or structure, including any attachments.

The roof allowance permitted in the Business 1 Zone at Prebbleton provides for an additional 2 metres of building height where a pitched roof form is provided (see diagrams in Appendix 30).

16.6.2 Any building or structure which complies with the maximum height standards set out in Table C16.2 shall be a permitted activity.

Table C16.2 – Maximum Heights of Buildings and Structures

Zone	Building	Structure
Business 2A and 2B Zone	15 metres	25 metres

Notes:

Height for either a building(s) or structure(s) is measured vertically from the ground surface to the highest point of the building or structure, including any attachments.

Restricted Discretionary Activities — Buildings and Building Height and Reflectivity

16.6.3 Any building which does not comply with Rule 16.6.2 shall be a restricted discretionary activity if the following conditions are met:

16.6.3.1 The building does not exceed 20m in height; and

16.6.3.2 The exterior building materials on all parts of the building above 15m in height do not exceed a reflectivity value of 40%.

Note:

Rule 16.6.3.2 does not apply to windows, window frames, stormwater guttering, downpipes or doors.

16.6.4 Any resource consent application for a building which is a restricted discretionary activity under Rule 16.6.3 and is setback at least 150m from Railway Road or Hoskyns Road shall not be notified and shall not require the written approval of affected parties.

16.6.5 Under Rule 16.6.3, the Council shall restrict the exercise of its discretion to consideration of:

16.6.5.1 The extent to which the additional building height may enable the more efficient and/or practical use of the remainder of the site;

16.6.5.2 The extent to which the additional building height is necessary in order to undertake the proposed activities on site;

16.6.5.3 The design, appearance and location of the building, and the quality and scale of any mitigation that can be implemented to reduce its visual impact particularly as viewed from land or roads outside the Business 2A Zone;

16.6.5.4 The extent to which the exterior building surfaces exceed the reflectivity value;

16.6.5.5 The proportion and overall dimensions of the external surface of the building which exceeds the reflectivity value;

16.6.5.6 Whether the effect of the reflectivity can be reduced or mitigated by shadows from eaves, surface texturing, panels or proximity to surfaces with lower reflectivity values.

Discretionary Activities — Buildings and Building Height

16.6.6 Any activity which does not comply with Rule 16.6.1 or Rule 16.6.3 shall be a discretionary activity.

16.7 BUILDINGS AND BUILDING POSITION

Permitted Activities — Buildings and Building Position

Recession Planes

- 16.7.1 Any building which complies with the relevant recession plane requirements set out in Appendix 11 shall be a permitted activity.

Note:

1. Recession Plane A – applies along any internal boundary adjoining any Living Zone or Rural Zone and along the common boundary of the Business 2A Zone and the Rural Zone, as depicted on the Outline Development Plan at Appendix 22.
2. Recession Plane B – applies along any internal boundary NOT adjoining any Living Zone or Rural Zone.
3. Recession Plane B – applies to the road boundary of Railway Road where it directly adjoins the Business 2A Zone.

- 16.7.1.1 Notwithstanding Rule 16.7.1 above, Recession Plane B shall not apply to the internal boundaries of the Business 2A Zone.

Setbacks from Boundaries

- 16.7.2 Any building which complies with the minimum setback distances from site boundaries as set out below shall be a permitted activity.

- 16.7.2.1 Business 1 Zone at Rolleston bounded by Rolleston Drive, State Highway 1 and Dick Roberts Place with any other zone boundary and on the Rolleston Drive road boundary – 10 metres

- 16.7.2.2 Business 1A Zone

- Road Boundaries: 6 metres
- Internal Boundaries: 6 metres (only where adjoining Lots 1 & 2 DP 22544)

- 16.7.2.3 Business 2 Zone (excluding area at Rolleston that is depicted on the Outline Development Plan at Appendix 22 and 32 and that part which is depicted on the Landscape Development Plan at Appendix 28)

- Road Boundaries: 2 metres
- Internal Boundaries: 2 metres (where adjoining a Living Zone)

- 16.7.2.4 Business 2A Zone

- Road Boundaries: 10 metres
- Internal Boundaries: adjoining a rural zoned property: 10metres, except that this requirement shall be 15 metres in the locations identified on the Outline Development Plan at Appendix 22.

16.7.2.5 Business 2B Zone

- Road boundaries: 5 metres
- Internal Boundaries: (adjoining a rural zoned property: 3 metres), (adjoining the Living Z zone: 50metres as identified on the Outline Development Plan Area 5 at Appendix 37).

16.7.2.6 In that part of the Business 2 Zone located south of Jones Road, Rolleston, as depicted on the Landscape Development Plan at Appendix 28:

- Road boundaries: 2 metres
- Internal boundaries: 10 metres (only along the common boundary of the Business 2 Zone and the railway reserve).

16.7.2.7 In that part of the Business 2 Zone located south of Jones Road and adjoining Hoskyns Road, Rolleston, as depicted on the Outline Development Plan at Appendix 32:

- Road boundaries: 2 metres
- Internal boundaries: 5 metres (only along the common boundary of the Business 2 Zone and the railway reserve).

16.7.2.8 Business 3 Zone

- Road Boundaries: 10 metres
- Internal Boundaries: 10 metres, (only where they adjoin a Living zone).

Restricted Discretionary Activities – Buildings and Building Position

16.7.3 Any activity which does not comply with Rule 16.7.1 shall be a restricted discretionary activity.

16.7.4 Under Rule 16.7.3 the Council shall restrict the exercise of its discretion to consideration of:

16.7.4.1 Any adverse effects of shading on any adjoining property owner, or on any road or footpath during winter.

16.7.5 Any activity which does not comply with Rules 16.7.2.2–16.7.2.8 shall be a restricted discretionary activity.

16.7.6 Under Rule 16.7.5 the Council shall restrict the exercise of its discretion to consideration of:

16.7.6.1 Road Boundaries

Any adverse effects on:

- (a) Roadscape; and
- (b) Landscaping potential; and
- (c) Shading of the adjoining road.

16.7.6.2 Internal Boundaries

Any adverse effects on:

- (a) Privacy; and
- (b) Outlook; and
- (c) Shading; and
- (d) Any other amenity values of the adjoining property.

Discretionary Activities – Buildings and Building Position

16.7.7 Any activity which does not comply with Rule 16.7.2.1 shall be a discretionary activity.

Notes

- 1. There are no building setback requirements for the Business 1 Zone.
- 2. There are no boundary setback requirements for structures in any of the Business Zones.

16.8 RELOCATED BUILDINGS

Permitted Activities – Relocated Buildings

16.8.1 The erection of any relocated building in the Business 1 Zone shall be a permitted activity if one or more of the following conditions are met:

- 16.8.1.1 The relocated building is an accessory building; or
- 16.8.1.2 The building is relocated from one position to another within the same site; or
- 16.8.1.3 The building is relocated on to a site for a temporary activity and is removed from the site within 2 days of the activity ceasing; or
- 16.8.1.4 The building is relocated on to a site to provide temporary accommodation during a construction project on the site, and the building is removed from the site within the lesser time of 12 months; or when the construction work ceases.
- 16.8.1.5 The building is being relocated within or between schools.

Note: Any relocated building at Castle Hill is also subject to the provisions of Rule 23.

Controlled Activities – Relocated Buildings

16.8.2 The erection of a relocated building which does not comply with Rule 16.8.1 shall be a controlled activity which shall not be notified and shall not require the written approval of affected parties.

16.8.3 The matters the Council has reserved control over are:

- 16.8.3.1 The timeframe proposed for having the building established on its new foundations; and

- 16.8.3.2 The timeframe proposed for any exterior repair and upgrading works to be undertaken; and
- 16.8.3.3 The standard to which the exterior of the building is to be finished; and
- 16.8.3.4 Whether any bond is required to cover the cost of reinstatement works in relation to matters listed under Rules 16.8.3.1 to 16.8.3.3, and the type of bond.

16.9 SMALL SCALE COMMERCIAL DEVELOPMENTS (LESS THAN 450m²)

Permitted Activities

16.9.1 In the Business 1 zone, developments comprising:

- (a) one or more new commercial buildings, and/or
- (b) commercial building additions, and/or
- (c) conversion of all or part of an existing dwelling for commercial use

with a total gross floor area of less than 450m² shall be a permitted activity provided that:

- 16.9.1.1 Except in Southbridge, Coalgate and Dunsandel, no car parking or vehicular access is provided between the frontage of any building and a legal road (or any accessway from which the public will access the site if it does not have access to a legal road); and
- 16.9.1.2 Except for c) above, at least 50% (by length) of each building frontage which fronts or directly faces on-site public space, or a road or other area where the public have a legal right of access, shall be installed and maintained as active commercial frontage; and
- 16.9.1.3 The maximum height of any fence between any building façade and the street or a private Right of Way or shared access over which the allotment has legal access, shall be 1m; and
- 16.9.1.4 Except for c) above, every building adjoining or within 3m of a road boundary shall be provided with a verandah to the following standards:
 - (a) Verandahs shall be set at least 0.5m behind the kerb face; and
 - (b) Verandahs shall have a minimum depth 3m except where this would entail a breach of rule a, above; and
 - (c) Verandahs shall extend along the entire frontage of the building facing the road boundary, and shall adjoin verandahs on adjacent buildings

Restricted Discretionary Activities

- 16.9.2 Any building or structure which does not comply with rule 16.9.1 shall be a restricted discretionary activity. The exercise of the discretion shall be limited to consideration of effects on the amenity of public spaces and pedestrian movement.
- 16.9.3 Any application arising from Rule 16.9.2 will not require the written approval of other persons and shall be non-notified.

16.10 LARGE SCALE COMMERCIAL DEVELOPMENTS (450m² OR MORE)

Restricted Discretionary Activities

- 16.10.1 In the Business 1 zone, developments comprising:

- (a) one or more new commercial buildings; and/or
- (b) commercial building additions

Where the new building and/or addition has a total gross floor area of 450m² or more shall be a restricted discretionary activity.

- 16.10.2 Under rule 16.10.1, Council has restricted the exercise of its discretion to:

- 16.10.2.1 The extent to which the development:

- (a) contributes to visual variety, including in relation to the architectural modulation and detailing proposed, and
- (b) visually integrates or disguises roof mounted servicing equipment.

- 16.10.2.2 The extent to which the design and layout of the site provides and addresses (for instance through active frontage) attractive pedestrian areas; either public streets or spaces with an equivalent amenity to public streets, where practicable.

- 16.10.2.3 The extent to which the site layout provides direct, logical and attractive pedestrian routes of sufficient width within and through the site as part of a comprehensive walking network for the wider area.

- 16.10.2.4 The extent to which the development maintains and/or provides continuous building lines, active frontage and verandahs along street boundaries and main pedestrian routes where practicable.

- 16.10.2.5 Whether car parking areas contribute to the provision of high quality public space, and are not located between buildings and a road where practicable.

- 16.10.2.6 The extent to which the design and location of landscaping will contribute to a high quality pedestrian experience by mitigating any adverse visual effects of development and defining the edges of streets and other space accessible to the public.

- 16.10.2.7 The degree to which the reflectivities proposed for the exterior of buildings, including rooves, will contribute to pleasant and attractive streets and public areas.

16.10.3 Any application arising from Rule 16.10.1 will not require the written approval of other persons and shall be non-notified.

In Rule 16.10.2.3, examples of space with street like amenity might include (but are not limited to):

- legal roads and public reserves;
- “Private Streets”: areas of private land where buildings with a majority of active frontage are directly opposite each other with pedestrian facilities on both sides of an accessway.
- “Pedestrian Precincts”: traffic-free street or lanes faced by active frontage on both sides
- “Pedestrian Parades”: wide footpaths in front of shops, providing space for pedestrian activities, separated from car parking by landscaping.
- “Nooks and Corners”: Making use of larger areas of leftover space, separated from car parking by landscaping.
- “Pedestrian Squares”: generally enclosed on two or more sides by active frontage, and where vehicles are not permitted.

Illustrations of these concepts are provided in the Council’s Commercial Design Guide.

16.11 BUILDINGS AND SECURITY SHUTTERS

Non-Complying Activities

16.11.1 In the Business 1 zone, the installation of exterior security shutters shall be a non-complying activity.

Reasons for Rules

Landscaping

A common feature of urban areas is a tidy area between the house and road frontage. There is a ‘market’ incentive for property owners to keep this area tidy, as it can add value to their property. There is not, however, such a direct market incentive for some businesses and community facilities, to retain a tidy ‘front yard’. The objective of Rule 16.1 is to ensure that activities locating in the Business 1A, 2 and 3 Zones maintain at least a minimum standard of street appeal.

In the case of the Business 2A Zone a higher level of landscaping is required so as to contribute to the higher level of amenity to be provided within this zone.

For the Business 2B Zone, landscaping strips along the Springs Road frontage and internal Zone boundaries are required to ensure that appropriate levels of amenity are achieved along the zone boundaries. Along the Springs Road frontage, higher density planting is required to enable effective screening of buildings and to avoid building domination. Along the internal Business 2B Zone boundaries, the objective is to achieve consistency of substantial planting throughout the full length of these boundaries to reduce building domination (including on the Living Z zone) and to soften the presence of buildings.

Water Supply

Every principal building, which may include a dwelling, is required to have a potable water supply for health reasons.

(**Note:** Permits to drill bores and take water are issued by Environment Canterbury.)

Sewage Treatment and Disposal

The townships listed in Rule 16.4.1 either have a reticulated sewerage treatment and disposal system, or need such a system, to avoid adverse effects on groundwater and the environment. The Council is currently pursuing options for public reticulated sewerage treatment and disposal at Southbridge.

Rule 16.4 should not be interpreted as an indication that reticulated sewerage will not be needed in other townships in the future, such as Darfield. Environment Canterbury is responsible for issuing discharge permits to allow on-site effluent treatment and disposal. If, in the future, permits are no longer issued, reticulated sewerage may need to be provided.

Site Coverage

The site coverage rule is designed to establish and maintain a character of relative openness in the Business 1A Zone at Castle Hill, and at the Business 1 Zone at Rolleston bounded by Rolleston Drive, State Highway 1 and Dick Roberts Place as the primary entrance into Rolleston township.

Building Height and Reflectivity

Rule 16.6 sets maximum height and bulk requirements for buildings and structures, to ensure they are in keeping with the visual character of townships. The permitted maximum height of buildings and structures is greater than that allowed for in the Living zones. This acknowledges that issues associated with the protection of sunlight and privacy to adjoining properties is less of an issue in industrial areas in comparison with residential areas. This rule differentiates between the height of buildings and other structures because of the differences in effects they will create on these urban areas.

For Castle Hill the maximum building height is the same as for the Living Zone. This is to recognise that the landscape qualities of this high location dictate that the maximum height of any buildings needs to be strictly controlled so to ensure that they do not become dominant landscape features.

Part of the amenity values of townships in Selwyn District is relatively low density of buildings and views across townships to rural areas, the Southern Alps/Kā Tiritiri o te Moana and Port Hills. Rule 16.6 helps to maintain those values by limiting the height of buildings and structures.

Within the Business 2A Zone at Rolleston there is the ability for buildings to be established up to 20m as a restricted discretionary activity. Given the scale of activities establishing within the Business 2A Zone, and its location (which is well separated from any Living Zone and State Highway 1), there is provision within the rules to provide for additional building height which reflects in part the modern trend in warehouse building design. A 20m height will enable the installation of modern racking systems, fire fighting installation, and provide some clearance under the ceiling. Given the warehousing nature of buildings provided for within the Business 2A Zone it has been necessary to provide the ability to increase the height limit over the 15m control which applies in the Business 2 Zone. A resource consent is required for a breach of this height, where any effects of the same can be assessed at that time.

The Business 3 Zone at Lincoln provides for multi-storied building which is a distinctive character of the existing development in the area and therefore this scale of development should continue to be provided for. Accordingly a 10 metre height control (except for Castle Hill) will permit the construction of a 2-3 storey building, depending on the roof pitch and any structures installed on the roof.

Within the Business 2A Zone at Rolleston there is an additional control on buildings above 15m in height in terms of the maximum reflectivity value of the exterior building surfaces. Rule 16.6.3.2 requires exterior building surfaces above 15m in height to have a maximum reflectivity value of 40%. This rule is proposed to reduce the potential visual impact of buildings within the Business 2A Zone on account of the additional height (up to 20m) allowable as a restricted discretionary activity in that Zone. This rule will ensure that the potential visual impact of these larger buildings in the Business 2A Zone is mitigated.

It is considered that buildings that are setback from Hoskyns Road and Railway Road will have lesser adverse visual effects than those buildings established in close proximity to those public roads. Accordingly, providing for buildings that are between 15 and 20m in height (and setback 150m from Railway Road and Hoskyns Road) to be assessed on a non-notified basis is considered appropriate on account of the reduced visual dominance created by such buildings.

Building Position

Rule 16.7 is intended to give property owners maximum flexibility over the use of space on their properties while still providing protection for sunlight, privacy and outlook for any neighbouring properties in a Living or Rural zone. These requirements acknowledge that adjoining residential and rural properties have the potential to be adversely affected by developments undertaken within Business zones. Those effects are most suitably managed by ensuring that new buildings comply with the recession plane that is applicable to the Living and Rural zones.

In the Business 1A Zone at Castle Hill, a setback from any road frontage is to encourage the establishing of landscaping so as to assist in blending any development into the natural landscape of the area. A similar concept also applies at the Business 2 zone and the Business 3 zone to encourage a planted strip being created or maintained, along the road frontage.

For that part of the Business 1 Zone at Rolleston bounded by Rolleston Drive, State Highway 1 and Dick Roberts Place, a 10m setback from other zone boundaries and from the Rolleston Drive road frontage is required to encourage the establishment of landscaping and to maintain amenity. The setback (in conjunction with the site coverage requirement for the zone) is also to ensure a degree of openness, as the zone is located at the primary entrance into Rolleston Township, and is intended to provide for the Selwyn District Council's district headquarters, and for civic and community activities undertaken by the Council.

For the Business 2B Zone in Lincoln, appropriate building setbacks apply along all of the Zone boundaries. The setbacks are intended to provide sufficient space to establish landscaping, and in particular large trees; to avoid or reduce building domination; and to provide along the Springs Road frontage higher density planting so as to enable effective screening of buildings.

Utility structures are exempt from these requirements as they tend to be less bulky than buildings and therefore will not adversely affect adjoining properties or the road and any footpath.

Relocated Buildings

Generally, the district plan does not control the design and standard of buildings, except at Castle Hill. Buildings which are relocated in whole, or in parts, on new foundations and often require restoration work to repair minor damage. If relocated buildings are left sitting on blocks or unrepaired for long periods of time, they can detract from the amenity values of the area in which they have located. The rule does not apply to the Business 2 and 3 zones. The environment in

the former is less sensitive in respect to visual effects, while the latter has expansive areas containing a large number of substantial buildings where visual affects are also likely to be less significant.

Rule 16.8 identifies minor activities involving relocated buildings for which resource consent is not required. Also set out are the matters the Council will consider for relocated buildings of a larger scale or of a permanent nature. The matters include the nature of reinstatement works, the time needed to complete them, and the mechanism to give Council the surety they will be completed.

The Council may not decline a controlled activity. It may be approved subject to conditions relating to the matters over which the Council has reserved control.

Note: The rule does not affect the ability of a subdivider to impose covenants on Certificate of Titles related to the style and age of buildings, or the relocation of buildings into their subdivision.

Design and Layout of Business 1 development

Rule 16.9 manages the effects of smaller commercial developments. It is intended to ensure that there is a positive interface between commercial development and the adjacent public space. The quality of a centre is in part defined by the appearance of buildings and their relationship with the street so it is important that commercial buildings make a positive contribution to this environment. Key to this is that they have active frontage adjacent to pedestrian areas and that they are not separated from these areas by car-parking. In Southbridge, Coalgate and Dunsandel, a lesser degree of control is considered appropriate due to the particular character and circumstances of these towns.

Rule 6.10 manages larger commercial developments which have a greater scale of effects and which usually create substantial areas of on-site public space which may become the place where people experience the public life of the town. It is important that this space is a high quality area in line with the expectations for the Business 1 zone. It is also important that the development maintains a good quality interface with public space. Rule 16.10 allows for the consideration of the effects of the development on the quality of the town centre environment in line with policy B3.4.23a.

18 BUSINESS ZONE RULES – UTILITIES

Notes

1. The undergrounding or ducting of any utility is permitted subject to compliance with Rule 14 (Earthworks), except where the provisions of Rule 15 (Heritage) apply.
2. The rules in this Plan are applicable to activities generally, including utilities. However, the following rules do not apply to utilities:

Land Use Rules for Business Zones:

- Rule 23 (Landscape Management, Alpine Villages)
- Rule 16.1 (Buildings and Landscaping)
- Rule 16.6 (Building Height)
- Rule 16.7 (Building Position)

Rules in respect to the above matters are contained in the following rules on utilities.

3. Work on utilities which are undertaken by requiring authorities under designations are not subject to the rules in this Plan.
4. Earthworks affecting any archaeological sites require the consent of the New Zealand Historic Places Trust Pouhere Taonga (refer to Part B, Section 3.3, “Archaeological Sites”).
5. Development contributions under the LTP Development Contribution Policy will be taken where network infrastructure, community infrastructure or reserves have to be constructed or expanded as a direct result of growth from development. Refer to Section B4.4 for further information on development contributions.

18.1 UTILITIES – ACTIVITIES

Permitted Activities – Utilities Activities

- 18.1.1 Any utility which meets the following provisions and complies with all other relevant rules shall be a permitted activity:

18.1.1.1 Upgrading, maintenance, operation and replacement of existing utilities shall be permitted and shall not be subject to compliance with any other performance standards, conditions or rules in this Plan provided that the effects of such shall be the same or similar in character and scale to those which existed before such upgrading, maintenance or replacement activities commenced. For the avoidance of doubt, the following activities are permitted:

- (a) The replacement of support structure cross arms;
- (b) The reconductoring or replacement of lines;
- (c) The resagging of conductors or lines;
- (d) The addition of longer or more efficient insulators or mountings;
- (e) The addition of earth wires which may contain telecommunication lines, earthpeaks and lighting rods;

- (f) The clearance and trimming of vegetation under lines or structures necessary to maintain security of electricity supply and telecommunication;
- (g) Pole replacement;
- (h) Where an existing electricity distribution line requires upgrading to improve the reliability of supply, the addition of one support structure cross arms;
- (i) The substitution of low voltage (400 Volts) electricity distribution lines with Aerial Bundled Cable provided that the overall diameter of the bundle shall not exceed 40 mm;
- (j) An increase in the voltage of a line, but only where the line was originally installed to operate at a higher voltage, but has been operating at a reduced voltage.

18.1.1.2 Any utility which emits electromagnetic radiation that meets the following conditions:

- (a) Exposures comply with NZS2772.1:1999 Radio Frequency Fields Part 1: Maximum exposure levels 3kHz–300 GHz (“the New Zealand Standard”).
- (b) Prior to commencing any radiofrequency emissions, the following is sent to and received by the Selwyn District Council:
 - Written notice of the location of the facility or proposed facility; and
 - A report prepared by a radio engineer/technician or physical scientist containing a prediction of whether the New Zealand standard will be complied with.

Note: this requirement shall not apply to the holder of an amateur radio license.

- (c) If the report provided to the Council under condition 18.1.1.2(b) predicts that emissions will exceed 25% of the exposure limit set for the general public in the New Zealand Standard, then within three months of radiofrequency emissions commencing, a report from National Radiation Laboratory (or Selwyn District Council, being an appropriately qualified organisation specifically identified in this rule), certifying compliance with the New Zealand Standard, based on measurements at the site, shall be provided to the Selwyn District Council.

18.1.1.3 Any power frequency electric and magnetic fields created do not exceed 100 micro tesla and 5kV/m in areas which are accessible to the public.

Note: Electric and magnetic fields are measured and assessed in accordance with the International Commission on Non Ionising Radiation Protection Guidelines.

18.1.1.4 Any transformer, line or wire does not exceed a voltage of 110kV or a capacity of 100 MVA per circuit.

18.1.1.5 Any new cable or line is laid underground; except for the provision of additional service connections to a maximum of three additional poles within, areas where services are already above ground.

- 18.1.1.6 The utility is not used for the generation of energy, apart from the generation of energy for use on the same site, or to enable continued supply during emergencies, maintenance or repairs.

Note: this rule does not apply to solar, wind or petroleum based powered generators used to generate energy for use only on the site on which they are located.

- 18.1.1.7 Any pipe used for distribution of gas (manufactured or natural) does not exceed a gauge pressure of 2000 kilopascals, including household connections and compressors.

- 18.1.1.8 Any pipe to convey water, sewage or gas, is laid underground.

Restricted Discretionary Activities – Utilities Activities

- 18.1.2 Any activity which does not comply with Rule 18.1.1.5 shall be a restricted discretionary activity.

- 18.1.3 Under Rule 18.1.2 the Council shall restrict its discretion to:

- 18.1.3.1 Whether surrounding sites have overhead or underground cables;

- 18.1.3.2 If surrounding sites have overhead cables, the time frame with which they are likely to be replaced with underground cables;

- 18.1.3.3 Any physical or technical difficulties with laying cables underground to the site;

Discretionary Activities – Utilities Activities

- 18.1.4 Any activity which does not comply with Rules 18.1.1.4, 18.1.1.7 and 18.1.1.8 shall be a discretionary activity.

Non-Complying Activities – Utilities Activities

- 18.1.5 Any activity which does not comply with Rules 18.1.1.2, 18.1.1.3 and 18.1.1.6 shall be a non-complying activity.

18.2 HEIGHT AND SETBACKS – UTILITY BUILDINGS

Permitted Activities – Height and Setbacks – Utility Buildings

18.2.1 Erecting any utility building, or any addition or alterations to, or modification of any utility building which complies with all of the following conditions shall be a permitted activity.

18.2.1.1 The height of the utility building shall not exceed the following standards:

- (a) Business 1A Zone; 8m
- (b) Business 1 Zone; 10m
- (c) Business 2 Zone; 15m
- (d) Business 2A and 2B Zones; 15m
- (e) Business 3 Zone; 25m

For Rule 18.2.1.1, the height of any building shall be measured from ground level at the base of the building, to the highest point on the building, but excluding any chimney, mast, aerial, or other structure which is attached to the outside of the building.

18.2.1.2 The setback of the utility building shall not be less than the following standards:

- (a) Business 1A Zone – 6m from a road boundary, or from the boundary of Lots 1 and 2 DP 22544.
- (b) Business 2 Zone: 2m from a road boundary, or any boundary adjoining a Living Zone.
- (c) Business 2A Zone:
 - Road Boundaries: 10m
 - Internal Boundaries: adjoining a rural zoned property: 10m, except that this requirement shall be 15m in those locations identified on the Outline Development Plan attached at Appendix 22.
- (d) Business 2B Zone:
 - Road Boundaries: 5m
 - Internal Boundaries: adjoining a rural zoned property: 3m, adjoining a Living Z zone: 50m,
- (e) Business 3 Zone: 10m from a road boundary or a Living Zone boundary.
- (f) In all Business Zones, the building shall be positioned so that it complies on a Living Zone boundary, with the recession plane angles in Appendix 11.

Restricted Discretionary Activities – Height and Setbacks – Utility Buildings

18.2.2 Any activity which does not comply with Rule 18.2.1.2 (a)–(e) shall be a restricted discretionary activity.

18.2.3 Under Rule 18.2.2 the Council shall restrict the exercise of its discretion to consideration of:

18.2.3.1 Any adverse effects of shading on any adjoining property owner; or on any road or footpath during winter.

18.2.3.2 Road Boundary

Any adverse effects on:

- (a) Roadscape; and
- (b) Landscaping potential; and
- (c) Shading of the adjoining road.

18.2.3.3 Internal Boundary

Any adverse effects on:

- (a) Privacy; and
- (b) Outlook; and
- (c) shading; and
- (d) any other amenity values of the adjoining property.

Discretionary Activities – Height and Setbacks – Utility Buildings

18.2.4 Any activity which does not comply with Rule 18.2.1.1 or 18.2.1.2(e) shall be a discretionary activity.

18.3 HEIGHT – UTILITY STRUCTURES

Note: For the purposes of Rules 18.3.1 and 18.3.2, the maximum height of any utility structure is measured from the ground surface to the top of the highest point of the utility structure and includes any attachments. Where a utility structure is attached to a building or another structure, the height of the utility structure will still be measured from the ground level.

Permitted Activities – Height – Utility Structures

18.3.1 Any utility structure (except dish antenna) which complies with all of the following conditions shall be a permitted activity:

18.3.1.1 The structure does not exceed the following heights:

- (a) Business 1 and 2 Zones: 25m
- (b) Business 1A Zone: 20m
- (c) Business 2A and 2B Zones: 25m
- (d) Business 3 Zone: 30m

18.3.1.2 The structure comprises any pole or mast which does not exceed 500mm in diameter beyond a height of 6m above ground level; or

18.3.1.3 The structure comprises any pole or mast which exceeds 500mm in diameter beyond a height of 6m above ground level, provided it complies

with the recession planes in Appendix 11 as if that pole or mast were a building.

Note: For the avoidance of doubt, Rules 18.3.1.2 and 18.3.1.3 do not apply to cross arms or antenna.

18.3.2 Any dish antenna which complies with the relevant following condition shall be a permitted activity.

18.3.2.1 A dish antenna of less than 1.2m in diameter shall not exceed a height of 25m; or if attached to a building, it shall not extend more than 2.5m above the point of attachment.

18.3.2.2 A dish antenna of more than 1.2m but less than 4m in diameter, on a site adjoining a Living Zone, shall not exceed a height of 25m; or if attached to a building, it shall not extend more than 2.5m above the point of attachment. It shall also comply with the recession plane in Appendix 11.

18.3.2.3 A dish antenna of more than 1.2m in diameter but less than 4m, on a site not adjoining a Living Zone, shall not exceed a height of 25m; or if attached to a building, it shall not extend more than 2.5m above the point of attachment.

Discretionary Activities – Height – Utility Structures

18.3.4 Any utility structure which does not comply with Rule 18.3.1 or 18.3.2 shall be a discretionary activity.

18.4 LANDSCAPE MANAGEMENT ALPINE VILLAGES (ARTHUR'S PASS AND CASTLE HILL) – UTILITIES

Permitted Activities – Landscape Management Alpine Villages (Arthur's Pass and Castle Hill) – Utilities

18.4.1 The following activities shall be permitted activities in the Arthur's Pass and Castle Hill Alpine Villages:

Utility Structures

18.4.1.1 Any utility pipe or cable laid underground.

18.4.1.2 Any dish antenna less than 0.75 metres in diameter, the height of which does not exceed that of the building or structure to which it is attached.

Antennas and Masts

18.4.1.3 Any antenna (other than a dish antenna), mast or utility or other structure that is not a building, no part or of which exceeds a height of 15 metres above the ground immediately below.

Building Materials and Colour for Utility Buildings and Utility Structures

- 18.4.1.4 Any utility building or utility structure which is constructed using one or more of the following materials:
- (a) Timber; or
 - (b) Stone of the same type as that found in the local area, provided that it complies with all other “relevant” rules, and
- 18.4.1.5 The exterior roof and wall colour(s) of any utility building or utility structure, except for trim items, has a reflectivity value between 0 and 37% (inclusive).

Restricted Discretionary Activities – Landscape Management Alpine Villages (Arthur’s Pass and Castle Hill) – Utilities

- 18.4.2 Any activity which is not listed in Rules 18.4.1.1 to 18.4.1.5 shall be a restricted discretionary activity, which shall not be notified and shall not require the written approval of affected parties.
- 18.4.3 Under Rule 18.4.2 the Council shall restrict its discretion to:
- 18.4.3.1 The effects of the activity on the landscape values of the area.
 - 18.4.3.2 Whether the proposed activity reflects the design of any heritage buildings or general heritage values of the area.
 - 18.4.3.3 The cost to the applicant and practicality of modifying the proposed activity to better complement the landscape values of the area.
 - 18.4.3.4 Any compensatory works proposed to enhance the landscape values elsewhere in the village and the appropriateness of this work as a mitigation measure.
 - 18.4.3.5 For principal buildings erected, the appropriateness of the design of the building in relation to the ‘chalet or alpine theme’ of the village.

18.5 LANDSCAPING – UTILITY BUILDINGS

Permitted Activities – Landscaping Utility Buildings

- 18.5.1 Any utility building shall be a permitted activity if the following conditions are met:
- 18.5.1.1 The area between the road boundary and the utility boundary is:
 - (a) Paved or sealed; or
 - (b) Planted in lawn; or
 - (c) Landscaped with shrubs, bark chips or similar materials
 - (d) For the purpose of screening in the Business 2, 2B and 3 zones, landscaping methods listed in (a)–(c) can be employed.

18.5.2 Any principal building in the Business 2A Zone shall be a permitted activity if the following standard is met:

18.5.2.1 A landscaping strip of at least 3 metres width shall be provided along every road frontage, except along the frontage with Railway Road. The landscaping shall meet the following standards:

- (a) The landscaping shall consist of only those species listed in Appendix 21. Planting for each allotment shall include:
 - A minimum of two trees from Group A for every 10 metres of road frontage. For boulevard roads the species selected shall match any Group A species in the adjacent road.
 - At least 35% of the required area shall be planted in species from Group C.
 - At least 10% of the required area shall be planted in species from Group D.
 - Group B and C species shall be used when screening blank walls and vehicle courts.
- (b) All plants shall be of the following maximum spacings:
 - Group B – 1.5 metre centres;
 - Group C – 1.5 metre centres;
 - Group D – 700mm centres.
- (c) The landscaping planted shall be maintained and if dead, diseased or damaged shall be removed and replaced.
- (d) No fences or structures shall be erected within the 3 metre landscaping strip. Footpaths of up to 1.5m in width and generally at right angles to the road frontage may be provided in the landscape strip.
- (e) All new planting areas shall be mulched.

18.5.3 Any utility building within the Business 2B Zone shall be a permitted activity, if the following standards are met:

18.5.3.1 A landscape strip of at least 5m width shall be established and maintained along the Springs Road frontage of every site, comprising one Podocarpus totara tree for every 5m of the road frontage, 1.5m high (when planted), which is capable of growing to at least 15m height at maturity.

18.5.3.2 A landscape strip of at least 3m width shall be established and maintained along all other boundaries of the Business 2B and Outer Plains zone, comprising one Podocarpus totara tree for every 10m, 1.5m high (when planted), which is capable of growing to at least 15m height at maturity, with spacing of no less than 5m and no greater than 15m.

18.5.3.3 Before any utility building is erected on any parcel of land subject to rule 18.1.5.1 to 18.1.5.3, all of the landscape planting on that allotment shall be completed.

18.5.3.4 The landscaping planted shall be maintained, and if dead, diseased or damaged, shall be removed and replaced.

Discretionary Activities — Landscaping – Utility Buildings

18.5.4 Any activity which does not comply with Rule 18.5.1, 18.5.2 or 18.5.3 shall be a discretionary activity.

Reasons for Rules

Rule 18 manages effects of establishing, maintaining, upgrading and replacing utilities on the environment.

Many activities involving utilities are undertaken by requiring authorities, using designations. In these cases, the District Plan rules may not apply. However, it is still necessary to have rules in the Plan, because:

- (a) Not all utilities are managed by requiring authorities;
- (b) Often utilities are installed by private developers as part of subdivisions or land uses. Some utilities may vest in the Council. The Plan needs to have rules for the undertaking of these activities, so the Council can manage the standard of utilities which will vest in the Council;
- (c) If the rules in the District Plan allow activities as permitted activities, it may reduce the need for network utility operators to designate land; and
- (d) It is consistent with Part II and Section 32 of the Act to provide for activities which have only minor effects on the environment as permitted activities.

The Plan clarifies situations where the upgrading, maintenance and replacement of utilities can occur as of right, to provide legal certainty. The rules for the height and bulk of utility structures and building are specific to those activities, and rules applicable to other buildings do not apply in most cases. This reflects the specialised (and usually minor) scale of buildings and structures such as poles, masts and antenna associated with utilities. However the sensitivity of important landscapes and living environments is recognised in the thresholds rule set in the Plan. Rules 18.1.1.2 and 18.1.1.3 address potential effects from electromagnetic radiation and power frequency electric and magnetic fields. The rules are firmly based on recognised national standards concerning these effects.

Rules 18.1.1.4 and 18.1.1.5 concern cables and lines. The rules encourage undergrounding of such lines where this is a realistic expectation. New high voltage lines will require consent and assessment given their significant visual impacts, with particular regard to siting.

Rule 18.1.1.6 discourages on site energy production or treatment of solid waste (subject to specific exemptions).

Rule 18.1.1.7 provides for reticulated gas supplies of a scale appropriate to a residential or light industrial environment.

Rule 18.2 relates to utility buildings. It allows them to be at the same scale as buildings in Living Zones generally, but also recognising that they do not require as much surrounding space as dwellings. Setback and recession plane requirements are set in place to protect neighbours and any Living zone, from the bulk of utility buildings.

Rule 18.3 relates to utility structures which comprise very small buildings, or poles, masts, pylons and antenna. For operational efficiency these are allowed to be higher than buildings, but also require compliance with recession planes on Living Zone boundaries where a utility support structure has a “thick” profile of more than 500mm. The rules relate to the sensitivity of the receiving zone environment.

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20 BUSINESS ZONE RULES — HAZARDOUS SUBSTANCES

Notes

1. Where a substance has more than one HSNO subclass applied the quantity limit for storage as a permitted activity will be based on the most restrictive threshold in Appendix 9, Table 2 for that substance. For instance a substance with 6.1A and 9.1B classifications would be based on the 6.1A quantities as 9.1B permits 5000 litres and 6.1A permits 1000 litres. 6.1A is the more restrictive threshold in Table 2 so that is the threshold to be used.
2. Rule 20 does not apply to the disposal of any hazardous substance by use of it in accordance with the manufacturer's instructions.
3. Interpretation of words used in this rule is provided in Part D of the Plan.
4. The disposal of any hazardous substances does not include the use of the substance in accordance with the manufacturer's instructions as a means of disposing of it.
5. The storage of any hazardous substances outdoors must also comply with Rule 22.6 – Outdoor Storage of Materials and Goods.
6. Any activity involving the storage, use, disposal, discharge or transportation of a hazardous substance may require resource consent from Environment Canterbury. Further enquiries should be made with Environment Canterbury.

20.1 STORAGE OF HAZARDOUS SUBSTANCES

Permitted Activities — Storage of Hazardous Substances

- 20.1.1 The storage of any hazardous substance shall be a permitted activity if all of the following conditions are met:
- 20.1.1.1 The quantity of each subclass of hazardous substances listed in Appendix 9 Table E9.2 complies with the maximum storage quantities set out in Appendix 9 Table E9.2.
 - 20.1.1.2 Any area used to store any hazardous substance or goods treated with any hazardous substance, except for Liquefied Petroleum Gas (LPG) is:
 - (a) separated from the bare ground area by an impervious surface; and
 - (b) the impervious surface is designed to contain any runoff of the substance or water contaminated with the substance; and
 - (c) the amount of containment available is no less than 110% of the total volume of stored hazardous substance where the area is roofed; or
 - (d) the amount of containment available shall be no less than 120% of the volume of any stored hazardous substance where the area is unroofed.

- 20.1.1.3 Any hazardous substance is stored:
- (a) in a sealed container; and
 - (b) the container is made of a material that is not weakened or corroded by the hazardous substance; and
 - (c) the container is permanently labelled with the name of the contents; and
 - (d) only one type of hazardous substance is stored in each container.
- 20.1.1.4 In the case of the Business 3 Zone (Lincoln University only) the quantity standards shall apply to any individual department or facility within the zone containing hazardous substances whether or not there is more than one department or facility within the site.
- 20.1.1.5 Any hazardous substance(s) is/are not stored within 20 metres of any waterbody.

Note: Rule 20.1.1.5 shall apply only to hazardous substances that are:

- (i) substances other than those that are listed in Policy 1(a)(ii) of Chapter 17 of the Canterbury Regional Policy Statement (RPS); and
- (ii) substances that are listed in Policy 1(a)(ii) of Chapter 17 of the Canterbury Regional Policy Statement (RPS) and are transported by means other than through a pipe.

The substances listed in Policy 1(a)(ii) of the RPS are:

- (a) Pesticides.
- (b) Chlorinated solvents
- (c) Timber preservatives
- (d) Petroleum products
- (e) Substances containing the following chemicals: arsenic, cadmium, chromium, cyanide, lead, mercury, nickel or selenium.

Controlled Activities – Storage of Hazardous Substances

- 20.1.2 The following activities shall be controlled activities in the Business 1, 1A, 2, 2B and 3 Zones:
- 20.1.2.1 The storage and retail sale of petrol (up to 100,000 litres storage in underground tanks) and diesel (up to 50,000 litres in underground tanks) at service stations and/or truck stops shall be a controlled activity and will not require the written consent of other persons and shall be non-notified.
- 20.1.2.2 The storage and sale of LPG (up to 6 tonnes, single vessel storage) at service stations and/or truck stops shall be a controlled activity and will not require the written consent of other persons and shall be non-notified.
- 20.1.2.3 Any consent application for the installation of any electrical transformer, where operated by a network utility operator, as defined under Section 166 of the Resource Management Act 1991, shall be non-notified and not require the written consent of directly affected parties.

20.1.2.4 In assessing any application made under Rule 20.1.2 consideration will be given to the following matters:

- (a) The extent to which the proposed activity can avoid or mitigate any undue risk, including site layout, site management, and spill contingency planning, monitoring and maintenance schedules.
- (b) Any relevant codes of practice introduced, or approved by, the Environmental Risk Management Authority; and pending these, any relevant codes applicable to hazardous substances.

Discretionary Activities — Storage of Hazardous Substances

20.1.3 Any activity which does not comply with Rule 20.1.1 and 20.1.2 shall be a discretionary activity.

20.2 MANUFACTURE OF HAZARDOUS SUBSTANCES

Permitted Activities — Manufacture of Hazardous Substances

20.2.1 The manufacture of any hazardous substance in the Business 3 Zone that complies with the quantities listed in Appendix 9 shall be a permitted activity.

Discretionary Activities — Manufacture of Hazardous Substances

20.2.2 The following shall be discretionary activities:

- 20.2.2.1 The manufacture of any hazardous substance in the Business 2, 2A or 2B Zone as either a product or by-product.
- 20.2.2.2 The manufacture of any hazardous substance in the Business 3 Zone which does not comply with Rule 20.2.1.

Non-complying Activities — Manufacture of Hazardous Substances

20.2.3 The manufacture of any hazardous substance, as either a product or by-product, in the Business 1 and 1A Zones shall be a non-complying activity.

20.3 DISPOSAL OF HAZARDOUS SUBSTANCES

Non-Complying Activities — Disposal of Hazardous Substances

20.3.1 Any disposal of any hazardous substance shall be a non-complying activity.

Reasons for Rules

Many of the potential effects on health and safety of the use and storage of hazardous substances are addressed through other legislation and that the use of these substances is adequately controlled by the Regional Council and other authorities. The District Plan complements this legislation by addressing the effects of hazardous substances on health and safety, and on the environment, including amenity values. The District Plan Rules provide for the

storage of small quantities of hazardous substances, such as those associated with commercial, industrial and research activities, without requiring a resource consent. The storage is subject to conditions to: minimise the risk of leaks on to land and to minimise potential adverse effects should accidental spills or leaks occur. An exception has been made for service stations to store greater quantities of petrochemicals as a controlled activity recognising their primary role as fuel providers, acknowledging the amounts of such fuel generally stored on-site and recognising the industry standards and codes which have been adopted to address health and safety issues. An exception is also made for the installation of electrical transformers recognising the low risks associated with oil filled transformers and the importance of transformers as part of the electricity network. Special provision is made for Lincoln University due to the large nature of its “site” and different range of departments and facilities within it.

The quantities of hazardous substances allowed to be stored as permitted activities are detailed in Appendix 9. These are based on those quantities which reflect the general non residential nature of the Business zones. Special provisions apply to the Business 3 Zone where there may be large quantities of hazardous substances involved associated with tertiary education and research activities undertaken which may also involve the manufacture of them.

The District Plan Rules contain conditions to avoid or reduce the severity of effects on the environment from the accidental spillage or leakage of a hazardous substance. The rules apply to activities where there is no intentional discharge. While accidental leaks and spills can be prosecuted as unlawful discharges, the damage to the environment has already occurred. The District Plan therefore adopts a preventative approach. Regional Councils control the intentional discharge of contaminants under the Resource Management Act.

Any party producing hazardous waste other than domestic hazardous waste must find their own means for disposing of it. Where potentially large quantities or concentrations of hazardous waste are being generated, the Plan rules require that party to submit a disposal plan for approval by the consent authority before establishing in the District.

21 BUSINESS ZONE RULES - WASTE

Notes

1. The storage of hazardous substances must also comply with Rule 20.
2. 3m³ of solid waste is approximately twelve 240 litre wheelie bins.
3. The control of the discharge from burning of green waste in residential areas is a regional function and is addressed in the Air Chapter of the Natural Resources Regional Plan.

21.1 WASTE GENERATION

Permitted Activities — Waste Generation

- 21.1.1 Any activity, that is not a residential activity, which generates 3 cubic metres or less of solid waste on average per week over a year shall be a permitted activity.

Note: Rule 21.1.1 does not apply to clean fill or green waste which is generated on the same property on which it is disposed of.

Restricted Discretionary Activities — Waste Generation

- 21.1.2 Any activity which does not comply with Rule 21.1.1 shall be a restricted discretionary activity.
- 21.1.3 Under Rule 21.1.2 the Council shall restrict its discretion to the approval of a management plan to:
- 21.1.3.1 Minimise waste from the activity; and
 - 21.1.3.2 Dispose of the waste in a way that mitigates adverse effects on the environment.

21.2 WASTE STORAGE

Permitted Activities — Waste Storage

- 21.2.1 The storage of solid waste shall be a permitted activity if the following conditions are met:
- 21.2.1.1 Only solid waste generated as part of activities on a site is stored on the site; and
 - 21.2.1.2 Any solid waste stored on a site is stored in a closed, waterproof container; and
 - 21.2.1.3 Solid waste is only stored on-site until it is able to be collected or removed for treatment or disposal elsewhere.

Note: Rule 21.2.1 does not apply to bins of not more than 5m³ in size which are used to collect clothing, cans, bottles or paper/cardboard for recycling and which are ancillary to the main activity(ies) on the site.

Discretionary Activities – Waste Storage

- 21.2.2 Any facilities for the temporary storage of solid or liquid waste delivered or conveyed onto the site shall be a discretionary activity.

Non-Complying Activities – Waste Storage

- 21.2.3 Any activity which does not comply with Rule 21.2.1 shall be a non-complying activity, unless 21.2.2 applies.

21.3 WASTE DISPOSAL

Permitted Activities – Waste Disposal

- 21.3.1 The disposal of solid waste shall be a permitted activity if one or more of the following conditions are met:
- 21.3.1.1 The solid waste is green garden waste which is composted on the site on which it is generated; or
 - 21.3.1.2 The solid waste is being applied as a manure, fertiliser, compost or mulch onto gardens, lawns, or soil used to grow plant or tree crops; or
 - 21.3.1.3 The waste is effluent from a household or building which is treated or disposed of on-site, in a Business Zone, where reticulated sewerage treatment and disposal is not required under Rule 16.4.

Discretionary Activities – Waste Disposal

- 21.3.2 The use of any land or the establishing of any facilities for the disposal of solid waste which does not comply with Rules 21.3.1.1 or 21.3.1.2 shall be a discretionary activity if any one of the following standards and terms is met:
- 21.3.2.1 The site is located in a Business 2, 2A, 2B or 3 Zone; and
 - 21.3.2.2 The solid waste being disposed of is clean fill only; or
 - 21.3.2.3 The solid waste being disposed of is green waste only; or
 - 21.3.2.4 The solid waste being disposed of is monofill from an industrial or business activity, and does not include any hazardous substance(s), offal or animal carcass.

22 BUSINESS ZONE RULES — ACTIVITIES

22.1 ACTIVITIES AND CONTAMINATED LAND

Permitted Activities — Activities and Contaminated Land

- 22.1.1 Any activity shall be a permitted activity on any site which contains contaminated land or when past activities on that site include those listed in Appendix 10, except for the following:
- 22.1.1.1 Erecting any dwelling;
 - 22.1.1.2 Educational facilities;
 - 22.1.1.3 Outdoor recreation activities; and
 - 22.1.1.4 Growing commercial food crops or rearing animals.

Restricted Discretionary Activities — Activities and Contaminated Land

- 22.1.2 Any dwellings, educational facilities, outdoor recreation activities, and growing commercial food crops or rearing animals on any site which contains contaminated land, or when past activities on that site include those listed in Appendix 10, shall be a restricted discretionary activity.
- 22.1.3 Under Rule 22.1.2 the Council shall restrict the exercise of its discretion to:
- 22.1.3.1 The adequacy of any methods proposed to reduce any potential adverse effects on people or animals.
 - 22.1.3.2 If the contaminated material is to be removed from the site, where and how it is to be disposed of, the level of risk to human health and the environment.
 - 22.1.3.3 Where the site is not confirmed as contaminated, but has been used for one or more of the activities listed in Appendix 10, further investigation to determine whether the site is contaminated and the extent of that contamination.

22.2 ACTIVITIES AND THE KEEPING OF ANIMALS

Permitted Activities — Activities and the Keeping of Animals

- 22.2.1 The keeping of animals for education and research purposes in the Business 3 Zone shall be a permitted activity.

Notes:

1. The keeping of domestic pets in the Business zones does not require a resource consent. However, the keeping of domestic pets may be subject to a Council bylaw. As an example, the Council has a bylaw for the keeping of dogs.
2. The definition of domestic pets in this Plan excludes donkeys, pigs, roosters and peacocks.

Discretionary Activities — Activities and the Keeping of Animals

- 22.2.2 The keeping of animals other than domestic pets in Business 1, 1A & 3 Zones except as provided under Rule 22.2.4 shall be a discretionary activity.
- 22.2.3 In Business 2, 2A and 2B Zones, the following shall be discretionary activities:
- 22.2.3.1 Commercial rearing of animals for sale of progeny, meat, skins, wool or other products
 - 22.2.3.2 Boarding of animals.
 - 22.2.3.3 Intensive livestock production

Non-Complying Activities — Activities and the Keeping of Animals

- 22.2.4 In Business 1, 1A & 3 Zones, the following shall be non-complying activities:
- 22.2.4.1 Commercial rearing of animals for sale of progeny, meat, skins, wool or other products
 - 22.2.4.2 Boarding of animals.
 - 22.2.4.3 Intensive livestock production

22.3 ACTIVITIES AND AIRCRAFT MOVEMENTS**Permitted Activities — Activities and Aircraft Movements**

- 22.3.1 Any taking off and/or landing of any aircraft shall be a permitted activity if the following conditions are met:
- 22.3.1.1 The activity is part of emergency, search and rescue, or law enforcement work; or
 - 22.3.1.2 The activity does not occur on more than two days in any six month period on the same site; and
 - 22.3.1.3 The aircraft movement occurs only between the hours of 7:00am and 9:00pm.

Discretionary Activities — Activities and Aircraft Movements

- 22.3.2 Any activity which does not comply with Rule 22.2.1 shall be a discretionary activity, if it complies with the following standard and term:

- 22.3.2.1 The take off and/or landing of aircraft shall be an ancillary use of the land and any facilities on the site and shall not be a main or predominant use of the land or any facilities on the site.

Non-Complying Activities — Activities and Aircraft Movements

- 22.3.3 Any take off and/or landing of aircraft which does not comply with Rule 22.3.2 shall be a non-complying activity.

Note: Airport is a defined term. Please refer to Part D.

22.4 ACTIVITIES AND NOISE

Permitted Activities — Activities and Noise

- 22.4.1 Any activity conducted on any day, except any residential activity, shall be a permitted activity, provided that the following noise limits are not exceeded with the time-frames stated.

Business 1, 1A & 3 Zones:

- 22.4.1.1 Noise assessed within the boundary of any other site NOT within a Living zone or within the notional boundary of any dwelling within any Rural zone:

7.30am – 8.00pm	60 dBA L10
8.00pm – 7.30am	45 dBA L10
7.30am – 8.00pm	85 dBA Lmax
8.00pm – 7.30am	70 dBA Lmax

- 22.4.1.2 Noise assessed within a Living zone or within the notional boundary of any dwelling within any Rural zone:

7.30am – 8.00pm	55 dBA L10
8.00pm – 7.30am	40 dBA L10
7.30am – 8.00pm	85 dBA Lmax
8.00pm – 7.30am	70 dBA Lmax

Business 2 Zone:

- 22.4.1.3 Noise assessed within the boundary of any other Business 1, 1A or 3 Zone site:

7.30am – 8.00pm	65 dBA L10
8.00pm – 7.30am	45 dBA L10
7.30am – 8.00pm	85 dBA Lmax
8.00pm – 7.30am	70 dBA Lmax

22.4.1.4 Noise assessed within a Living zone or within the notional boundary of any dwelling within any Rural zone:

7.30am – 8.00pm	55 dBA L10
8.00pm – 7.30am	40 dBA L10
7.30am – 8.00pm	85 dBA Lmax
8.00pm – 7.30am	70 dBA Lmax

Business 2A Zone:

22.4.1.5 Applying at any point within the boundary of any site in the rural zone, excluding road, waterway and railway reserves:

7.30 am – 8.00 pm	60dBA L10
8.00 pm – 7.30am	40dBA L10
7.30 am – 8.00pm	80dBA Lmax
8.00 pm – 7.30 am	65dBA Lmax

Business 2B Zone:

22.4.1.6 Noise assessed within a Living zone or within the notional aboundary of any dwelling within any Rural zone:

7.30am – 8.00pm	55 dBA L10
8.00pm – 7.30am	40 dBA L10
7.30am – 8.00pm	85 dBA Lmax
8.00pm – 7.30am	70 dBA Lmax

22.4.2 Rule 22.4.1 does not apply to the use of sirens or warning devices associated with emergency service facilities.

Discretionary Activities – Activities and Noise

22.4.3 Any activity that is not residential which does not comply with Rule 22.4.1 shall be a discretionary activity.

22.5 ACTIVITIES AND VIBRATION

Permitted Activities – Activities and Vibration

22.5.1 Vibration from any other source shall be a permitted activity if the maximum limits are not exceeded, provided that:

22.5.1.1 Activities likely to have regular vibration effects such as quarrying, mining or airports are not permitted in Business zones and will require resource consent.

Discretionary Activities – Activities and Vibration

22.5.2 Any activity which does not comply with Rule 22.5.1 shall be a discretionary activity.

22.6 ACTIVITIES AND LIGHT SPILL

Permitted Activities — Activities and Light Spill

22.6.1 The following activities shall be permitted activities:

- 22.6.1.1 Any fixed, exterior lighting if it is directed away from adjacent properties and roads.
- 22.6.1.2 Any other lighting if it does not exceed:
 - (a) 3 lux spill (horizontal or vertical) on to any part of any adjoining property in a Living zone or within the notional boundary of any dwelling within any Rural zone; and
 - (b) 10 lux spill (horizontal or vertical) on to any part of any adjoining property within the same Business zone.
 - (c) 3 lux spill (horizontal or vertical) on to any part of any adjoining property in the Rural zone which has a common boundary with either the Business 2A Zone as depicted on the Outline Development Plan at Appendix 22, or the Business 2B Zone as depicted on the Outline Development Plan for ODP Area 5 at Appendix 37.
- 22.6.1.3 Lighting in the Business 2A Zone which is designed so that:
 - (a) All outdoor lighting is shielded from above in such a manner that the light source is not visible from the outside of the Business 2A Zone.
 - (b) All fixed outdoor lighting is directed away from adjacent roads outside of the Business 2A Zone.

Discretionary Activities — Activities and Light Spill

22.6.2 Any activity which does not comply with Rules 22.6.1 shall be a discretionary activity.

22.7 ACTIVITIES AND THE OUTDOOR STORAGE OF MATERIALS AND GOODS

Permitted Activities — Activities and the Outdoor Storage of Materials and Goods

Screening and Dust

- 22.7.1 The outdoor storage of any materials or goods shall be a permitted activity if the following conditions are met:
 - 22.7.1.1 Any outdoor storage area in a Business 1 Zone shall be screened from any road boundary of the site by a fence, wall or vegetation of at least 1.8m in height; and

- 22.7.1.2 Any outdoor storage area in a Business 1 Zone shall be screened from any internal boundary of the site which adjoins a site in another Business 1 Zone or a site in a Living zone, by a fence, wall, or vegetation of at least 1.8m in height; and
- 22.7.1.3 Any outdoor storage area in a Business 2 or 3 Zone shall be screened from any road boundary or internal boundary of the site which adjoins a site in a Living or Business 1 Zone, by a fence, wall or vegetation of at least 1.8m in height.
- 22.7.1.4 The screening referred to in Rules 22.7.1.1 to 22.7.1.3 shall be for the full length that the storage area is visible from the road.
- 22.7.1.5 Unconsolidated materials such as soil, coal, sawdust, powdered fertiliser are to be covered or otherwise secured from being blown by the wind.

Exemptions

- 22.7.2 Rules 22.7.1.1 to 22.7.1.4 shall not apply to:
 - 22.7.2.1 The storage of motor vehicles, caravans or campervans, trailers, or watercraft associated with residential activities on the site; or
 - 22.7.2.2 The display of merchandise for sale to the public, but does not include vehicles or other machinery intended for dismantling or scrapping; or
 - 22.7.2.3 The storage of materials for construction, repair or landscaping work on the same site, for up to 4 months in any 12 month period.

Discretionary Activities — Activities and the Outdoor Storage of Materials and Goods

- 22.7.3 Any activity which does not comply with Rule 22.7.1 shall be a discretionary activity.

22.8 ACTIVITIES AND TEMPORARY MILITARY TRAINING

Permitted Activities — Activities and Temporary Military Training

- 22.8.1 Temporary Military Training Activities shall be permitted activities provided that the following conditions are met:
 - 22.8.1.1 No permanent structures shall be constructed;
 - 22.8.1.2 No mechanical excavation shall be carried out, unless provided for in this Plan;
 - 22.8.1.3 The activity shall not exceed a period of 31 days;
 - 22.8.1.4 All ground disturbed by any military activity shall be restored to its previous state;
 - 22.8.1.5 No Temporary Military Training Activities shall occur in any areas identified on the Planning Maps as wāhi taonga, silent file areas, or mahinga kai sites;

- 22.8.1.6 Noise emissions occurring as a result of any Temporary Military Training Activity, when measured at the property boundary shall not exceed:

Time (Any Day)	Limits(dBA)	
	L₁₀	L_{max}
0630-0730	60	70
0730-1800	75	90
1800-2000	70	85
2000-0630	55	65

Controlled Activities — Activities and Temporary Military Training

- 22.8.2 Any Temporary Military Training Activity which does not comply with Rule 22.8.1 shall be a controlled activity.
- 22.8.3 Under Rule 22.8.2 the Council shall restrict the exercise of its discretion to consideration of:
- 22.8.3.1 Any disturbance caused by structures or earthworks;
 - 22.8.3.2 Any noise effects, with regard to the location and noise sensitivity of nearby activities;
 - 22.8.3.3 Any visual or traffic effects;
 - 22.8.3.4 The effect of activities over an extended period of time, having regard to 22.8.3.1 to 22.8.3.3 above.

22.9 DWELLINGS

Controlled Activities — Dwellings

- 22.9.1 The erection of any dwelling in a Business 2 or 2A Zone shall be a controlled activity if the following standard and term is met:
- 22.9.1.1 The dwelling is to be necessary for custodial or security purposes.
- 22.9.2 Any resource consent application made under Rule 22.9.1 shall not be notified and shall not require the written approval of affected parties.
- 22.9.3 Under Rule 22.9.1, the Council shall reserve control over the following matter:
- 22.9.3.1 The removal of, or other method to be used to dispose of, the dwelling in the event of it no longer being required for custodial or security purposes.

Discretionary Activities — Dwellings

- 22.9.4 Any dwelling which does not comply with Rule 22.9.1 shall be a discretionary activity.

22.10 DEVELOPMENT WITHIN THE BUSINESS 2A ZONE, ROLLESTON

Permitted Activities — Development within the Business 2A Zone, Rolleston

22.10.1 Development in the Business 2A Zone shall be a permitted activity provided that the following condition is met:

22.10.1.1 The area along the common boundary of the Business 2A Zone and the Rural Zone, as depicted in the respective landscape treatment areas identified on the Outline Development Plan at Appendix 22, and the principal building, shall be landscaped in accordance with the requirements of Rule 24.1.3.13.

Controlled Activities — Development within the Business 2A Zone, Rolleston

22.10.2 Any outdoor storage of materials within 5m of the centreline of the existing primary shelterbelt as required by Landscape Treatment 3 in Rule 24.1.3.13 shall be a controlled activity.

22.10.3 The matters the Council has reserved control over are:

22.10.3.1 Any actual or potential effects on the health of the existing primary shelterbelt and the effectiveness of any measures to mitigate any such effects.

Restricted Discretionary Activities – Development within the Business 2A Zone, Rolleston

22.10.4 The creation of impermeable surfaces within 5m of the centreline of the existing primary shelterbelt as required by Landscape Treatment 3 in Rule 24.1.3.13 shall be a restricted discretionary activity.

22.10.5 Under Rule 22.10.4 the Council shall restrict the exercise of its discretion to consideration of:

22.10.5.1 Any actual or potential effects to the health of the existing primary shelterbelt and the effectiveness of any measures to mitigate any such effects.

Discretionary Activities – Development within the Business 2A Zone, Rolleston

22.10.6 Any activity which does not comply with Rule 22.10.1 shall be a discretionary activity.

22.11 DEVELOPMENT WITHIN THE BUSINESS 1 ZONE AT ROLLESTON BOUNDED BY ROLLESTON DRIVE, STATE HIGHWAY 1 AND DICK ROBERTS PLACE

Permitted Activities — Development within the Business 1 Zone at Rolleston bounded by Rolleston Drive, State Highway 1 and Dick Roberts Place

- 22.11.1 Development in the Business 1 Zone at Rolleston bounded by Rolleston Drive, State Highway 1 and Dick Roberts Place shall be a permitted activity provided that the following conditions are met.

Outline Development Plan

- 22.11.1.1 All development in the Business 1 Zone at Rolleston bounded by Rolleston Drive, State Highway 1 and Dick Roberts Place is in general accordance with the Outline Development Plan at Appendix 29 (to the extent that this plan applies).

Access Restrictions

- 22.11.1.2 Vehicle access to the Business 1 Zone bounded by Rolleston Drive, State Highway 1 and Dick Roberts Place is limited to only one crossing. That crossing shall connect to Rolleston Drive.
- 22.11.1.3 The vehicle access to the Business 1 Zone bounded by Rolleston Drive, State Highway 1 and Dick Roberts Place zone is located approximately 300 metres from the strategic intersection of State Highway 1 and Rolleston Drive, and no less than 260 metres from the strategic intersection of State Highway 1 and Rolleston Drive, and generally in the position shown on Appendix 29.

Discretionary Activities — Development within the Business 1 Zone at Rolleston bounded by Rolleston Drive, State Highway 1 and Dick Roberts Place

- 22.11.2 Any activity which does not comply with Rules 22.11.1 shall be a discretionary activity.

22.12 RETAILING WITHIN THE BUSINESS 2A ZONE, ROLLESTON

Permitted Activities — Retailing within the Business 2A Zone, Rolleston

- 22.12.1 The following shall be a permitted activity:
- 22.12.1.1 Any retail activity undertaken from an allotment in the Business 2A Zone at Rolleston as depicted on the Outline Development Plans at Appendix 22 provided that it only occupies up to 20% of the gross floor area of building on that allotment or 2,000m², whichever is the lesser.

Discretionary Activities — Retailing within the Business 2A Zone, Rolleston

- 22.12.2 Any activity which does not comply with Rule 22.12.1.1 shall be a discretionary activity.

22.13 RETAILING WITHIN THE BUSINESS 1 ZONE AT ROLLESTON BOUNDED BY ROLLESTON DRIVE, STATE HIGHWAY 1 AND DICK ROBERTS PLACE

Non-Complying Activities: Retailing within the Business 1 Zone at Rolleston bounded by Rolleston Drive, State Highway 1 and Dick Roberts Place

- 22.13.1 Any retailing activity within the Business 1 Zone at Rolleston bounded by Rolleston Drive, State Highway 1 and Dick Roberts Place shall be a non-complying activity.

22.14 RETAILING IN ODP NEIGHBOURHOOD AND LOCAL CENTRES WITHIN THE BUSINESS 1 ZONE

- 22.14.1 Any retailing activity within a neighbourhood centre as identified on ODP contained in Appendices 37 and 38 within either Rolleston or Lincoln with a total retail floor space in excess of 2000m² or individual retail tenancy area greater than 350m² GFA shall be a discretionary activity.^{PC7}

- 22.14.2 Any retailing activity within a local centre as identified on ODP contained in Appendices 37 and 38 within either Rolleston or Lincoln with a total retail floor space in excess of 450m² or individual retail tenancy area greater than 350m² GFA, shall be a discretionary activity.^{PC7}

22.15 CAFES AND LUNCHBARS WITHIN THE BUSINESS 2B ZONE IN LINCOLN

Permitted Activities – Café and Lunchbars within the Business 2B Zone in Lincoln

- 22.15.1 The following shall be a permitted activity provided that the following conditions are met:
- 22.15.1.1 Any cafes/lunchbars located within the Business 2B zone with a gross floor area of less than 150m²

Reasons for Rules

Contaminated Sites

Contaminated land contains certain substances at concentrations which may affect people's health or well-being. Effects may be through direct exposure, e.g. touching contaminated soil, or indirect exposure by being absorbed in drinking water or food grown on contaminated soil.

The activities listed in Rule 22.1.1 are activities which are most likely to expose people to either direct or indirect exposure to contaminated land. The Building Act 2004 can require certain mitigation measures to be put in place before a building is erected on contaminated land. However, this Act does not apply to activities that do not involve erecting a building (such as growing food crops) or activities ancillary to buildings, such as outdoor recreation.

Contaminated Site Register

The Council has a register of sites which may have contaminated land, because of past activities on the site. These sites should be tested prior to the activities listed in Rule 22.1.1 taking place. If a site is on the Council register, it will be noted on any LIM (Land Information Memorandum) issued for the site.

PLEASE NOTE – the register is not a comprehensive list. There are likely to be additional contaminated sites in the District which are not on the register, particularly if the activity in the past did not require to obtain any permit or licence.

Keeping of Animals

Some control over animals (excepting domestic pets) in the Business zones is needed because of the potential of being in close proximity of residential neighbours in the adjoining Living zone(s) and to protect the prevailing amenity values of Business zones.

The undertaking of intensive livestock production (factory farms) and the boarding, rearing and breeding of animals do, in most cases, have adverse environmental effects which are incompatible with anticipated environmental outcomes for business areas. They will also largely be incompatible with the range of activities that may be undertaken in the Business 1 and 1A zones, which tend to be more retail or commercial in nature. It is on this basis that any activity involving the boarding, rearing and breeding of animals is required to be assessed as a non complying activity. These activities may be allowed, depending on the scale of the particular activity and conditions upon which it is undertaken.

However for the Business 2 Zone, which is more industrial in nature, such activities need approval only as a discretionary activity. The need for a Resource Consent is on the basis that significant areas of this zone are in close proximity to a Living zone.

Special provision is made for the Business 3 Zone in Lincoln which focuses on the primary activities of education and research.

Aircraft Movements

An airport or other facilities for regular take off and landing of aircraft or helicopters is not compatible with the amenity values of the adjoining or nearby Living zones due to effects of aircraft noise, vibration and night lighting. It is therefore appropriate that any proposal to establish an airport (for example a helipad) be a non complying activity so controls can be imposed on establishing such facilities in the Business zones.

There are some instances, however, where the effects of aircraft taking off or landing can be tolerated for a short period of time. For example, if a helicopter is used to assist in construction work on a building. Rule 22.3 is designed to accommodate these ‘one off’ events without requiring a resource consent.

The rule also provides for the take off and landing of aircraft for emergency purposes or law enforcement. Section 342 of the Resource Management Act provides for emergency work but not law enforcement. The temporary and (hopefully) infrequent nature of this work and the importance it has to the health, safety and well-being of people and communities is considered to mitigate and outweigh any adverse effects on residential amenity values.

Noise

One of the general characteristics of the Business zones is their close proximity to residential areas (Living zones). In most situations there is a shared common boundary with a Living Zone. Residents in the Living zones expect to be able to enjoy a relatively quiet noise environment without being disturbed by constant and excessive noise from commercial and industrial-type activities within the Business zone areas. Also, the owners and/or workers within the Business zones should not be subjected to excessive outdoor noise levels arising from activities undertaken on adjoining or nearby properties also in the same zone.

Rule 22.4 sets the noise limits for permitted activities in the Business zones. The rules are largely based on existing sound levels generally being experienced in these industrial areas so the “noise environment” will not differ markedly with the implementation of these noise limits.

The lower day time noise limit for the Business 1 & Living zones (50 dBA) as opposed to that for the Business 2 Zone (55 dBA) acknowledges that the former zone is the commercial centre of the settlement where people tend to congregate and becomes the focus of public life. It is therefore appropriate that a lower noise limit applies to this zone so to ensure that the amenity levels are not unduly compromised. The same issues do not apply to the Business 2 Zone which are more industrial in nature and therefore do not engender themselves to be places where the public would want to congregate other than for business purposes.

In respect of the Business 3 Zone at Lincoln, the overall ambience of these education and research facilities means that the noise levels being the same as the Business 1 & 1A Zones is appropriate. The Business 3 Zone also shares a common boundary with a Living zone.

Irrespective of any rules in the Plan, there is a duty (under Section 16 of the Act) on all persons not to make ‘unreasonable noise’.

Emergency services may be located in business areas close to the communities they serve. In these situations it may be impractical from an operational sense for emergency sirens to comply with noise standards and still achieve their function in alerting the community of an emergency and they have therefore been given an exemption. The fact that such sirens operate on an infrequent rather than continuous basis in part mitigates potential noise effects. In all other aspects of the emergency service operation must still comply with Rule 22.3.

Vibration

Vibration is an adverse effect on the environment, especially in residential areas. Activities likely to have regular vibration effects such as quarrying, mining or airports are not permitted activities in the Business zones, therefore they need a resource consent.

Vibration limits are based on New Zealand Standards.

Light Spill

Light spill from activities into adjoining properties can disturb the sleep patterns of nearby residents and reduce their privacy. Activities undertaken on adjoining properties within the same Business zone could likewise be adversely affected. However any such effects would likely be of a lesser consequence due to the expected predominance of non residential activities undertaken in these zones. Rule 22.6 sets a maximum amount of light spill for permitted activities to avoid these effects.

Activities which have greater light spill may be allowed with the granting of a resource consent, if the light spill will not adversely affect adjoining properties.

Outdoor Storage

Rule 22.7 manages adverse effects on the amenity values from the outdoor storing goods and materials. These effects also include dust nuisance from the stockpiling unconsolidated excavated material. The visual effects in the Business zones pertain primarily when the property is viewed from the road rather than between neighbours.

With the internal boundaries of adjoining properties, whether they be residential or non residential, any issues associated with the shielding of outdoor storage areas is best dealt with by neighbours arriving at a solution that suits best both parties. Issues involving boundary fences between adjoining properties is dealt with in the Fencing Act which does not involve Council at the regulatory level.

However for the Business 2 Zone the Council believes that screening of storage areas is required only on sites located along Strategic Roads, Arterial Roads and where they are opposite a Living zone. These three situations are the more sensitive areas in terms of visual considerations for passing motorists and local residents respectively.

Temporary Military Training

Rule 22.8 provides for Temporary Military Training Activities. Such activities have some potential to create adverse environmental effects, but the nature of the activity is unique in terms of other land uses and is temporary in nature. The accompanying restrictions on duration, building, excavation, sensitive sites and noise are expected to mitigate any significant adverse effects on the environment.

Dwellings

One cause of potential reverse sensitivity effects is the location of dwellings in industrial areas of the District. Often these houses are originally established for custodial or security purposes but are subdivided and sold off when no longer required for that purpose. A problem arises if the new owner complains about the nature of existing operations in the area. To avoid the potential for reverse sensitivity effects, the Council shall provide for custodial accommodation in the Business 2 Zone as a controlled activity and for other houses as a discretionary activity. In terms of custodial houses, the Council shall reserve control over methods to remove or decommission the dwelling in the event of it no longer being required for custodial or security purposes.

Retailing within the Business 1 Zone at Rolleston bounded by Rolleston Drive, State Highway 1 and Dick Roberts Place

At the present point in time it is considered neither necessary nor appropriate to have additional retailing activities in that Business 1 Zone bounded by Rolleston Drive, State Highway 1 and Dick Roberts Place in Rolleston, given that the existing Business 1 Zone within central Rolleston is not yet at capacity.

Development within the Business 1 Zone at Rolleston bounded by Rolleston Drive, State Highway 1 and Dick Roberts Place

The reasons for the Outline Development Plan, and the access restriction rule, are to establish and place restrictions on legal access for vehicles to the zone, and to identify those areas where access restrictions are imposed. This is to address any potential adverse traffic effects of the zone by limiting access to the zone to one point on Rolleston Drive, located approximately 300 metres, and not less than 260 metres, from the legal State Highway boundary.

Development within the Business 2A Zone at Rolleston

The reasons for the restriction on activities (outdoor storage of materials and the establishment of impermeable surfaces) occurring within 5m of the existing primary shelterbelt is to ensure appropriate mechanisms are in place to maintain the health of the existing primary shelterbelt in instances where development occurs in close proximity to the existing primary shelterbelt.

Retail Floor Areas within Business 1 Zoned Neighbourhood and Local Centres identified on ODPs

Whilst the Business 1 Zone rules also apply to Neighbourhood and Local Centres shown on ODPs, the services and facilities provided for such centres are generally to have a more localised area of influence due to their limited range of activities and accessibility, and accordingly need to complement the existing Town Centres, and not compete with them in terms of being a substantial business or retail destination at a strategic level. Accordingly, such Neighbourhood Centres, as identified by the ODPs should:

Range in size, but generally be 1,000m² – 2,000m² total floorspace and include:

- Up to 15 shops, with a maximum retail tenancy of 350m² GFA; and provide
- A limited range of community facilities.

Local centres, as identified by the ODPs, should range in size, but generally be up to 450m² total floorspace and include:

- 1 – 5 shops, with a maximum retail tenancy of 350m² GFA; and provide
- A limited range of community facilities.

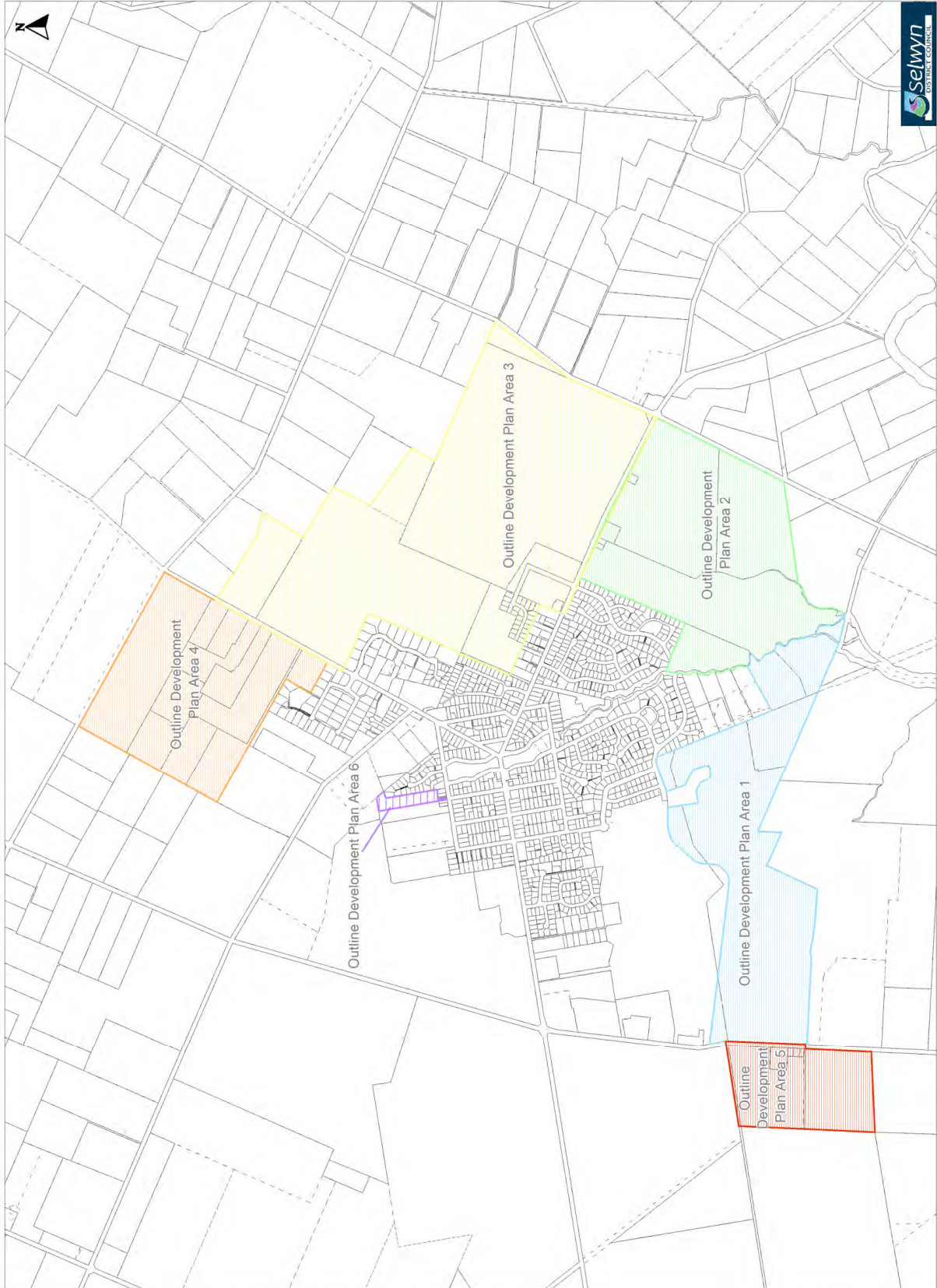
Café and Lunchbars within the Business 2B Zone at Lincoln

The reason for the restriction on retail floor space for café and lunchbars within this zone is to make sure that these type of stores cater for the needs of the Business 2B zone and not the whole of Lincoln, so that it complements the existing Town Centre and Neighbourhood Centre hierarchy that has been created in Lincoln.

APPENDIX 37

OUTLINE DEVELOPMENT PLAN - LINCOLN

- for locations of these ODP's see overleaf
- ODP Area 1
- ODP Area 2
- ODP Area 3
- ODP Area 4
- ODP Area 5
- ODP Area 6





OUTLINE DEVELOPMENT PLAN AREA 5

INTRODUCTION

Area 5 comprises approximately 26ha of land located south of Lincoln University on the western side of Springs Road. The northern half of Area 5 (zoned Living Z Deferred) is located opposite ODP Area 1 ('the Dairy Block'). The southern half is zoned Business 2B.

The ODP is based on sound urban design principles, including the Selwyn District Council Subdivision Design Guide (September 2009), and establishes a framework to guide future development of the site.

INTEGRATION WITH THE TOWNSHIP

The site is located adjacent to Lincoln University and the proposed 'Dairy Block' residential development, which provides opportunities for the integration of facilities and network infrastructure, including the potential for a future bypass road. The Business 2B zone is well placed to enable a range of industrial-type activities to establish to service the needs of a growing local community.

The ODP has been formulated to maximise connectivity between the site and its surrounds, while recognising the need to separate the Living Z Deferred and Business 2B zones to avoid potential cross boundary effects and to maintain residential amenity values.

DENSITY PLAN

The density plan illustrates the extent of Living Z Deferred and Business 2B zoning, with the zone boundary located on the northern side of the landscape buffer. The Business 2B zone is identified as being within the first (current) development phase period, whereas the Living Z Deferred zone is deferred until the second phase. The deferment on the Living Z zone will therefore be uplifted in 2017, provided that adequate infrastructure and servicing is available.

The Living Z part of the ODP shall achieve a minimum net density of 10 households per hectare. Note that "net density" is to be calculated with respect to the Living Z zone boundaries only and not over the whole ODP area and excludes the 20m roading corridor for the potential future bypass located at the western end of the LZ zone.

MOVEMENT NETWORK

The roading network is designed to make safe provision for a range of transport options, including active transport (cycling and walking) and public transport (bus). It also provides for the separation of vehicle traffic from the living and business areas, with each zone having a primary route onto Springs Road.

The ODP makes provision for a potential bypass road, as identified in the Lincoln Structure Plan however no formal plans for the road have been made to date. There is sufficient space within the landscape buffer shown on the ODP to accommodate the bypass road should this road eventuate (as shown on the cross section diagram attached to this ODP report). A suitable acoustic treatment shall be undertaken to mitigate road noise prior to construction of the bypass road. The ODP also illustrates a potential roading connection from the Business 2B zone onto the bypass road in order to facilitate the movement of heavy vehicles in this locality.

The internal roading layout for both the Living Z and Business 2B areas reflects the principles of the Selwyn District Council Subdivision Design Guide by ensuring good connectivity, minimising the number of rear lots and encouraging the efficient shape and orientation of future allotments.

Future road and cycle/pedestrian linkages are shown to the adjoining area to the west, which is subject to a separate private plan change request for rural residential rezoning; and a pedestrian/cycleway link is provided between the Living Z and Business 2B zones.

GREEN NETWORK

The green network will provide amenity and serve the recreational needs of the future residents and occupiers of the ODP area. The open space areas shown on the ODP comprise a neighbourhood park (approximately 2000 – 2500m² in size) within the Living Z zone and a landscape buffer (varying between 30m – 50m in width) along the western boundary of the Living Z zone and along the northern boundary of the Business 2B zone.

The location and size of the neighbourhood reserve is based on the Selwyn District Council open space requirements cited in the LTP and Activity Management Plans, which seek to achieve 1ha per 1000 new residents and to provide a local reserve within 400m walking distance of every dwelling. All roads will be suitable for 'on road' cycling, and will include a footpath formed on one side only to minimise impermeable surfaces.

The landscape buffer shown along the northern boundary of the Business 2B zone has a minimum width of 50m to separate residential and industrial activities, in order to maintain residential amenity values. The width of this buffer also provides sufficient space for noise mitigation measures to be constructed, in addition to any potential bypass road. A suitable acoustic treatment shall be undertaken within the landscape buffer to mitigate noise from the Business 2B zone prior to subdivision or construction of principle buildings in that part of the Living Z zone within 50m of the landscape buffer. The remainder of the landscape buffer, comprising a width of 30m, provides a possible route for the potential bypass road.

Specific building setback and landscaping requirements apply along all external Business 2B zone boundaries to maintain amenity values at the zone interface. These mitigation measures are to be implemented through the associated land use rules for activities within the Business 2B zone.

A 5m no build setback along the west boundary and northwest corner of the Worner property (that part of the property currently with less dense existing screen planting), is intended to maintain the amenity of that property until such time as it is redeveloped for higher density living purposes than the current rural residential use.

BLUE NETWORK

Stormwater is to be managed on site with a combination of internal swales, a first flush basin (approximately 6,000m² in size) and a wetland located in the southeast corner of the Business 2B zone comprising an area of approximately 1.8ha. The stormwater system will manage stormwater from within the entire ODP area, including both the Living Z Deferred and Business 2B zones.

The size of the wetland shown on the ODP is subject to further refinement at the detailed design stage, including confirmation of depth to groundwater. There are three options for stormwater discharge from the ODP area: -

- 1) Discharge into the Selwyn District Council drain adjacent to Collins Road east of Springs Road via a pipe or open drain laid along Springs Road and Collins Road;
- 2) Discharge via the private drainage system on adjoining land to the south (subject to the agreement of the landowner);

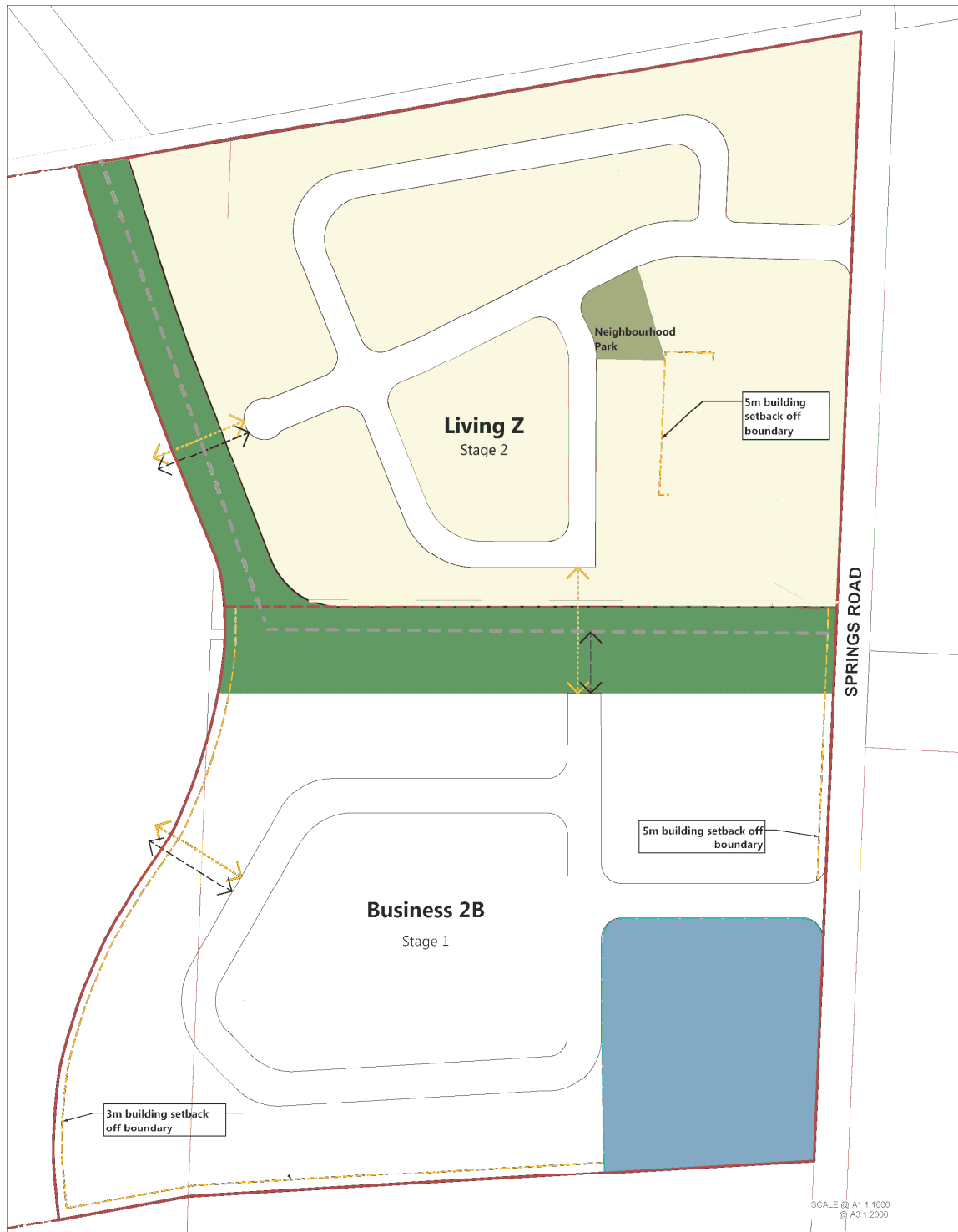
3) Discharge to the main drain located within ODP Area 1.

Option 1 is the preferred option.

The stormwater management system is consistent with design principles of the Lincoln Integrated Stormwater Management Plan, however a variation will be required to the global discharge consent to accommodate the additional stormwater flows and to ensure that discharge quality into the LII River meets the relevant consent conditions.

The proposed wastewater network for the ODP area will include a system of gravity mains and a pumping station to convey wastewater off-site. There are a number of options for the delivery main from the pump station at Springs Road to the Selwyn District Council network, with the preferred option being construction of a temporary rising main to the existing Lincoln reticulation. This could ultimately be superseded by a connection into the Dairy block reticulation once this is available.

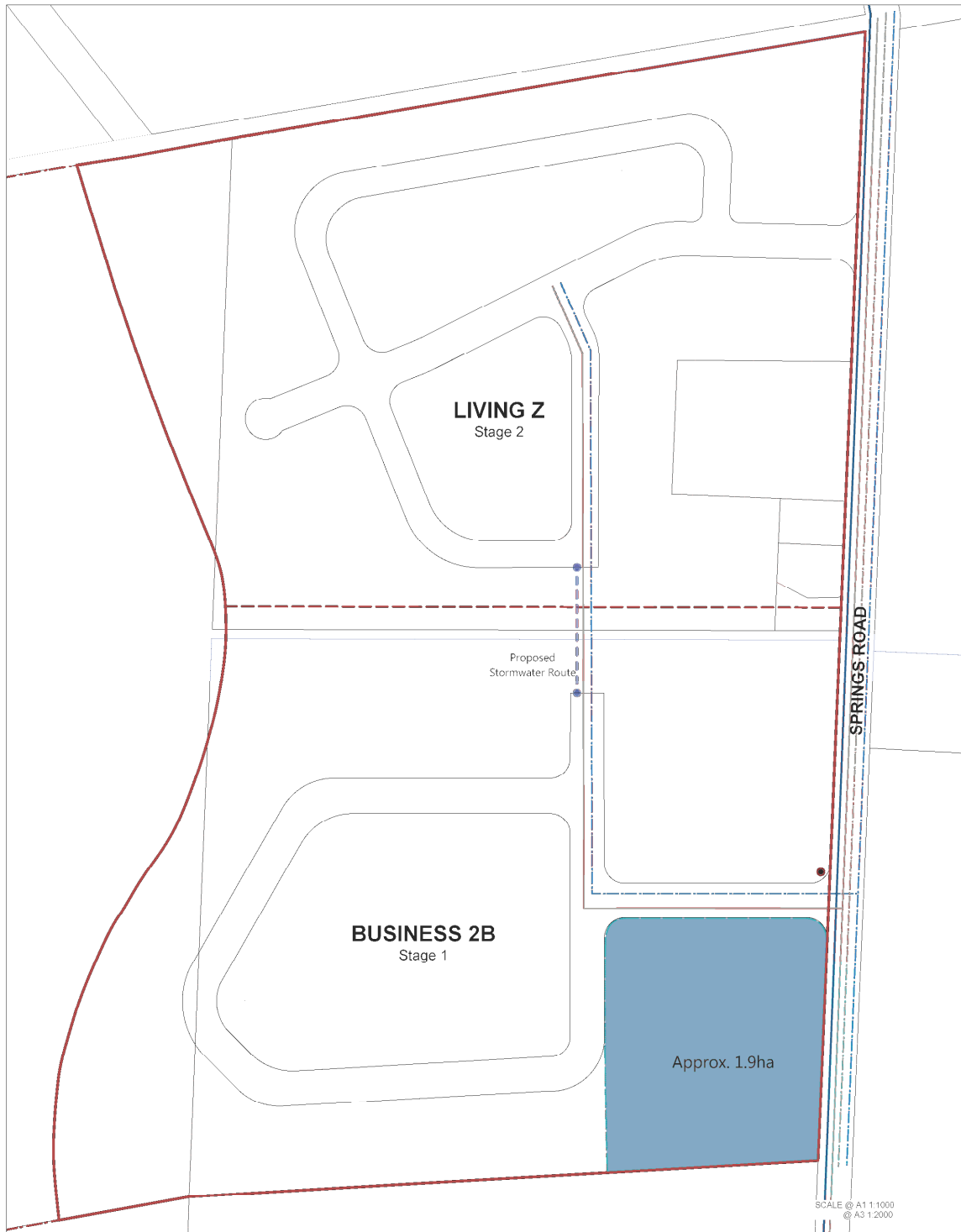
A reticulated water supply can be supplied to the ODP area by a construction of a watermain down Springs Road from Ellesmere Junction Road, which can eventually be interconnected with the water network being constructed for the Dairy block, including ODP Area 1.



OUTLINE DEVELOPMENT PLAN AREA 5 - LINCOLN- DENSITY PLAN

	Parcel		Low Density - 10hh/ha		Potential future bypass road
	ODP Area		Landscape Buffer*		Stormwater Treatment Zone
	Roading		Potential Rooding Connection		Shared pedestrian/ cycle off road lane

* Landscape Buffer subject to noise attenuation measures to mitigate reverse connectivity issues between businesses and residential use



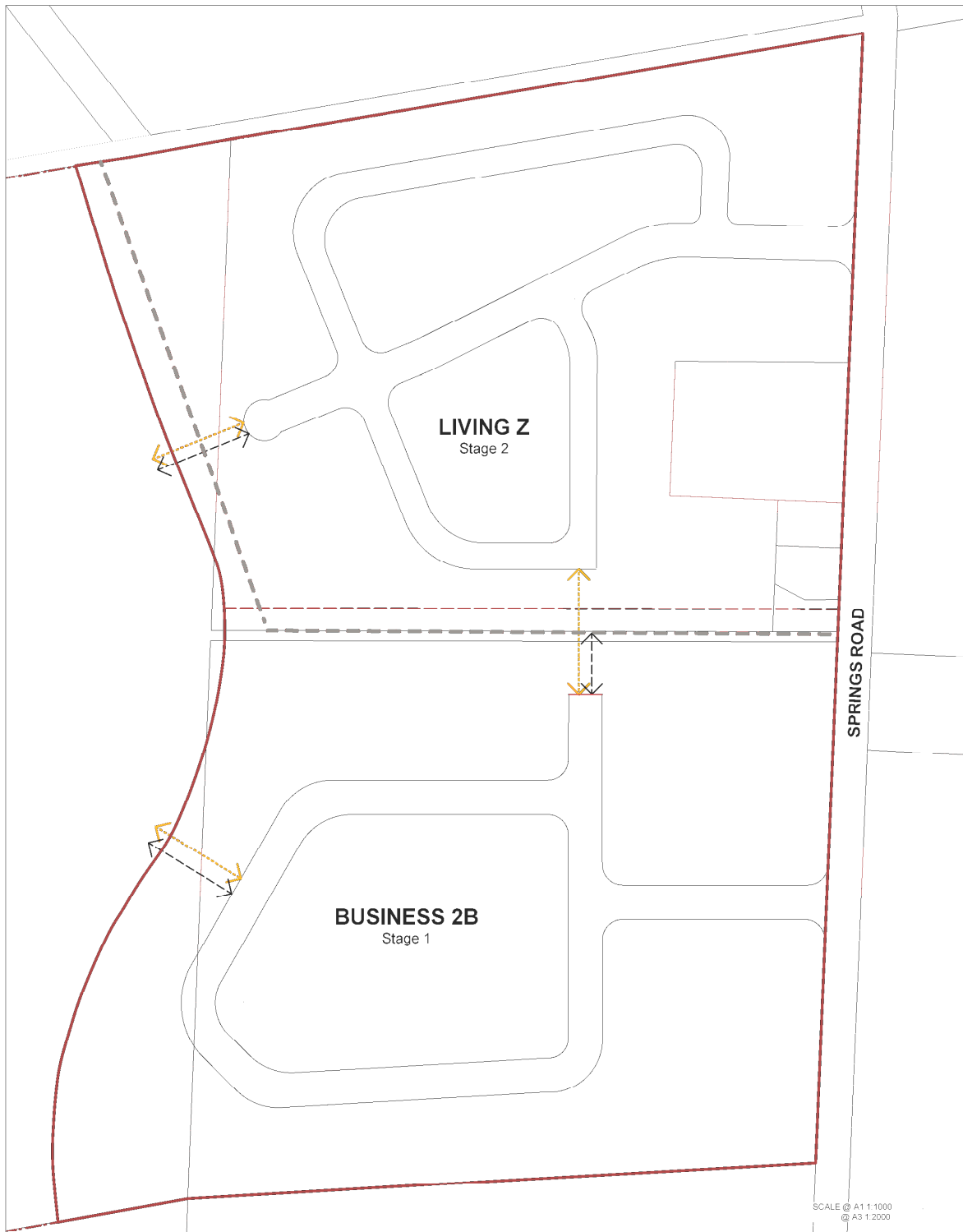
OUTLINE DEVELOPMENT PLAN AREA 5 - LINCOLN - BLUE NETWORK PLAN

	ODP Boundary		Proposed stormwater treatment zone		Indicative wastewater pump station
	Parcel		Existing waterway (drain)		Proposed gravity wastewater
	Rooding		Proposed Watermain		Proposed rising wastewater



OUTLINE DEVELOPMENT PLAN AREA 5 - LINCOLN - GREEN NETWORK PLAN

	ODP Boundary		Recreation Reserve		Shared pedestrian/ cycle off road lane
	Parcel		Landscape Buffer		Stormwater Treatment Zone
	Roading		No Build Setback		50 metre Noise Attenuation Zone



OUTLINE DEVELOPMENT PLAN AREA 5 - LINCOLN - MOVEMENT NETWORK PLAN

	ODP Boundary		Existing & Proposed Rooding		Potential bypass road
	Boundary between Business and Residential		Potential Rooding Connection		
	Parcel		Shared pedestrian/ cycle off road lane		

OUTLINE DEVELOPMENT PLAN AREA 6

INTRODUCTION

This Outline Development Plan (ODP) is for ODP Area 6 at Lincoln. The area incorporates the balance of land known as the “Vege Block” which is not required for Community Purposes as part of the Notice of Requirement. It has an area of approximately 7500m² and covers the eastern half of Lot 1 DP 301682 with the western part of this lot being designated for Community Facilities. The ODP provides a framework to guide future development of the land.

ODP Area 6 is proposed to be developed for medium density housing consistent with the Lincoln Structure Plan and in accordance with the Selwyn District Council Medium Density Housing Guide. The development of this area in combination with the Community Facilities area will provide extensive linkages with existing and proposed Council reserves and enable a future road link with Boundary Road.

The ODP has been broken down into four plans. (Density, Movement Network, Green Network and Blue Network).

DENSITY PLAN

The site is rectangular and is 32m wide by 230m in length. Access to the site will be by a new road off North Belt which will provide access of the western boundary of the site. The layout of the sections will be undertaken to maximise sunlight and warmth. The lot sizes will provide for medium density housing and will be laid out to achieve combined accessways for back sections. It is anticipated that 18-19 lots will be developed depending on the final design and layout.

The higher intensity residential development incorporating smaller lots will be directly opposite the proposed new Lincoln Community Centre and Lincoln Domain. The site is also close to the local Primary and High Schools and the Lincoln Shopping Centre. The site backs on to Roblyn Place. A 5m building setback, together with a 12m setback for two-storey buildings, is shown adjacent to this ODP boundary, in order to reduce any privacy, shading and outlook effects on the adjoining Roblyn Place residents.

MOVEMENT NETWORK

The new road within the development is effectively an extension of William Street and is required to access the proposed Lincoln Community Centre and Lincoln Domain and their associated carparks. The Lincoln Structure Plan indicates that the linking of William Street through to Boundary Road would provide significant benefits for local area movement rather than having to backtrack to the village centre. This ODP provides for this linkage through the ODP area and with a connection through to the lot to the north, thus providing the potential for a link through to Boundary Road.

The road is proposed to be a primary road with pedestrian and cycle movements on both verges. The road verges will be 5m wide with provision for landscaping, power, telecom, water, sewer and stormwater services to be contained within them.

Accessibility to the Community Centre and Domain carparks via the new road will alleviate congestion problems along North Belt, particularly on winter sports days. Initially the road will be a cul-de-sac until the balance of the road to Boundary Road is constructed.

In addition to the cycle and pedestrian facilities associated with the new road through to the Community Centre, specific cycle and pedestrian routes from the new road directly to the Domain are to be created.

GREEN NETWORK

Due to the proximity of the Lincoln Domain and the Council's development of the community centre adjacent to this site the provision of separate open space is not warranted. The 5 metre wide street berm will provide for frontages to the residential units to be grassed and planted with trees or for a grassed swale to retain natural elements within the site. The existing pond to the north of the site and the detention basin at the southern end of the community centre as well as landscaping of the centre will all provide a natural fringe to the development providing residents with visual relief.

A linkage to the Lincoln High School may be provided at the northern boundary; however the final location of this link will be determined after the development of the tennis and netball courts in the area.

It is also anticipated that an esplanade reserve will be provided adjacent to the Liffey Stream.

BLUE NETWORK

The northern boundary of this site is adjacent to the Liffey Stream close to where the stream commences. As surface drainage in the area is poor, a comprehensive drainage system for all the land being developed is necessary to provide appropriate treatment and detention of stormwater. The proposed stormwater management system for the area is:

Road, community centre and car parking hardstand areas – capturing rainwater and directing it through swales in the car park for treatment and then into a detention basin prior to entering the Council reticulated stormwater system.

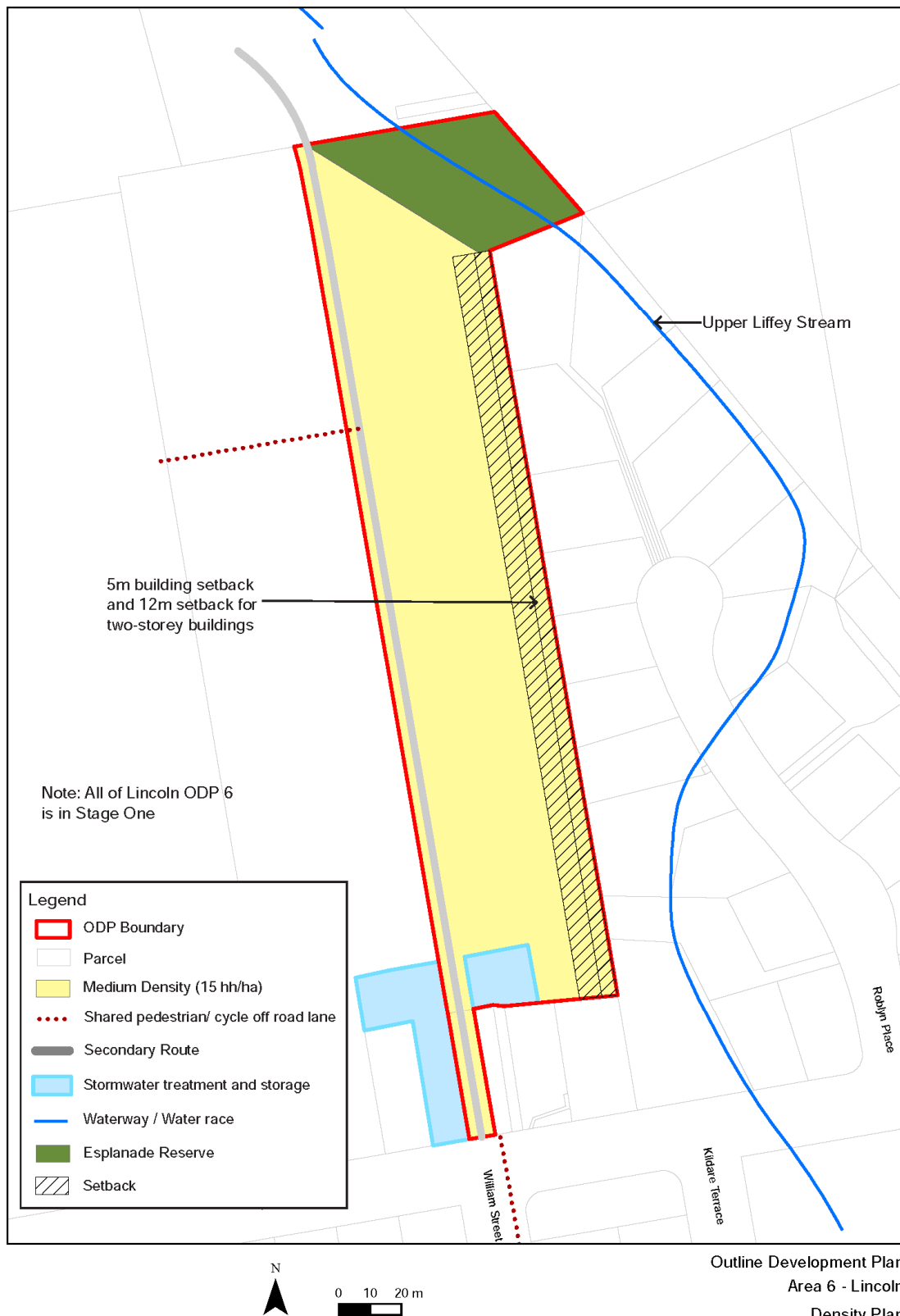
RESIDENTIAL SUBDIVISION – THREE OPTIONS ARE AVAILABLE NAMELY:

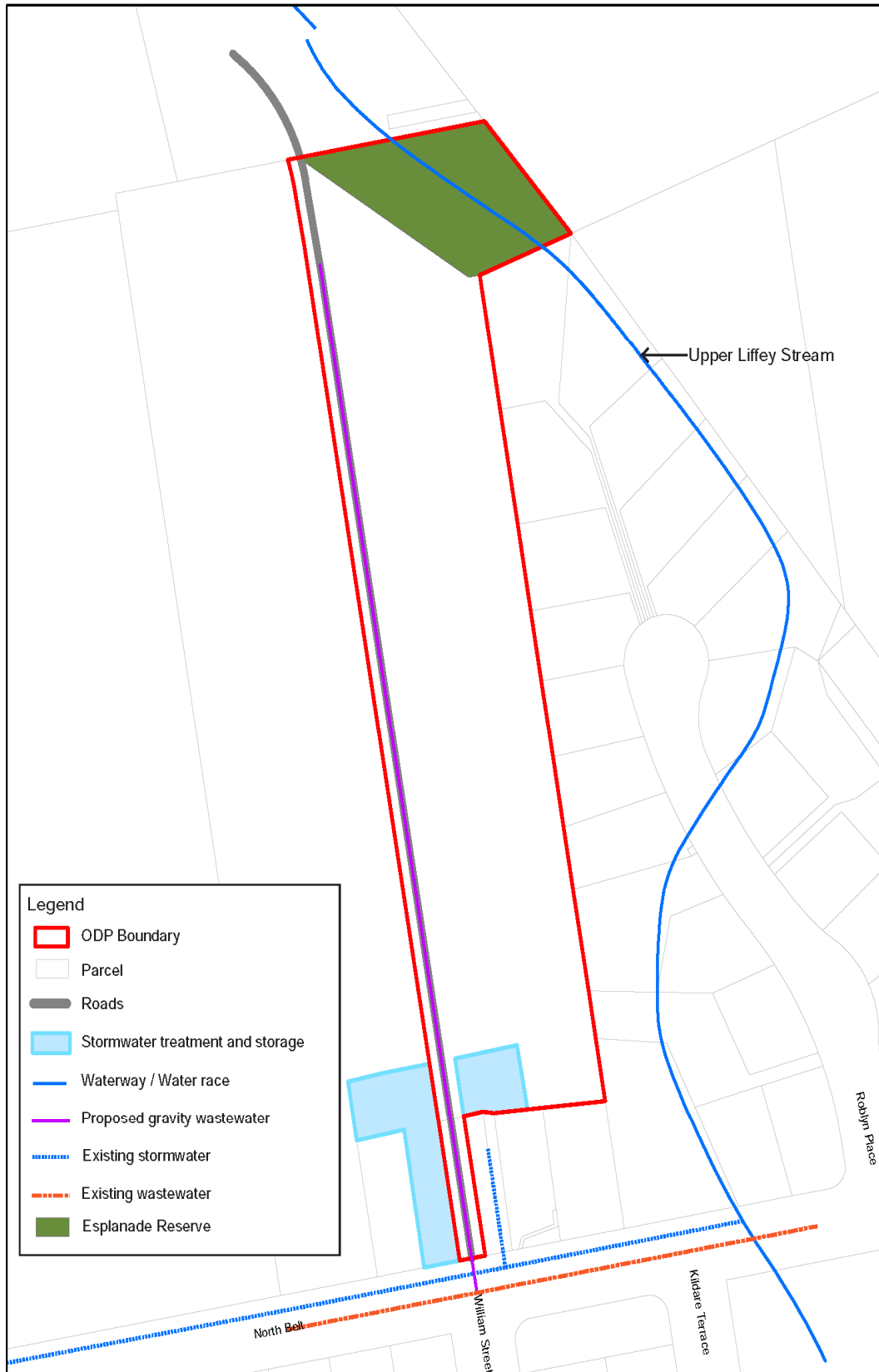
- (a) direct stormwater through piped system to a swale at the southern section of the road berm;
- (b) direct stormwater through a piped system to a swale within a section of the road at the southern end of the site; or
- (c) direct stormwater through an open swale within the road berm for the full length of the road.

Sewer connection from the medium density development will be to the Lincoln Storage Facility via the existing reticulated sewerage network.

SPECIFIC ODP STANDARDS (REFER TO RULE 12.1.3.38)

- A 5m setback shall be provided between all buildings and the eastern boundary of ODP Area 6.
- A 12m setback shall be provided between all two-storey buildings and the eastern boundary of ODP Area 6

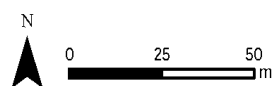


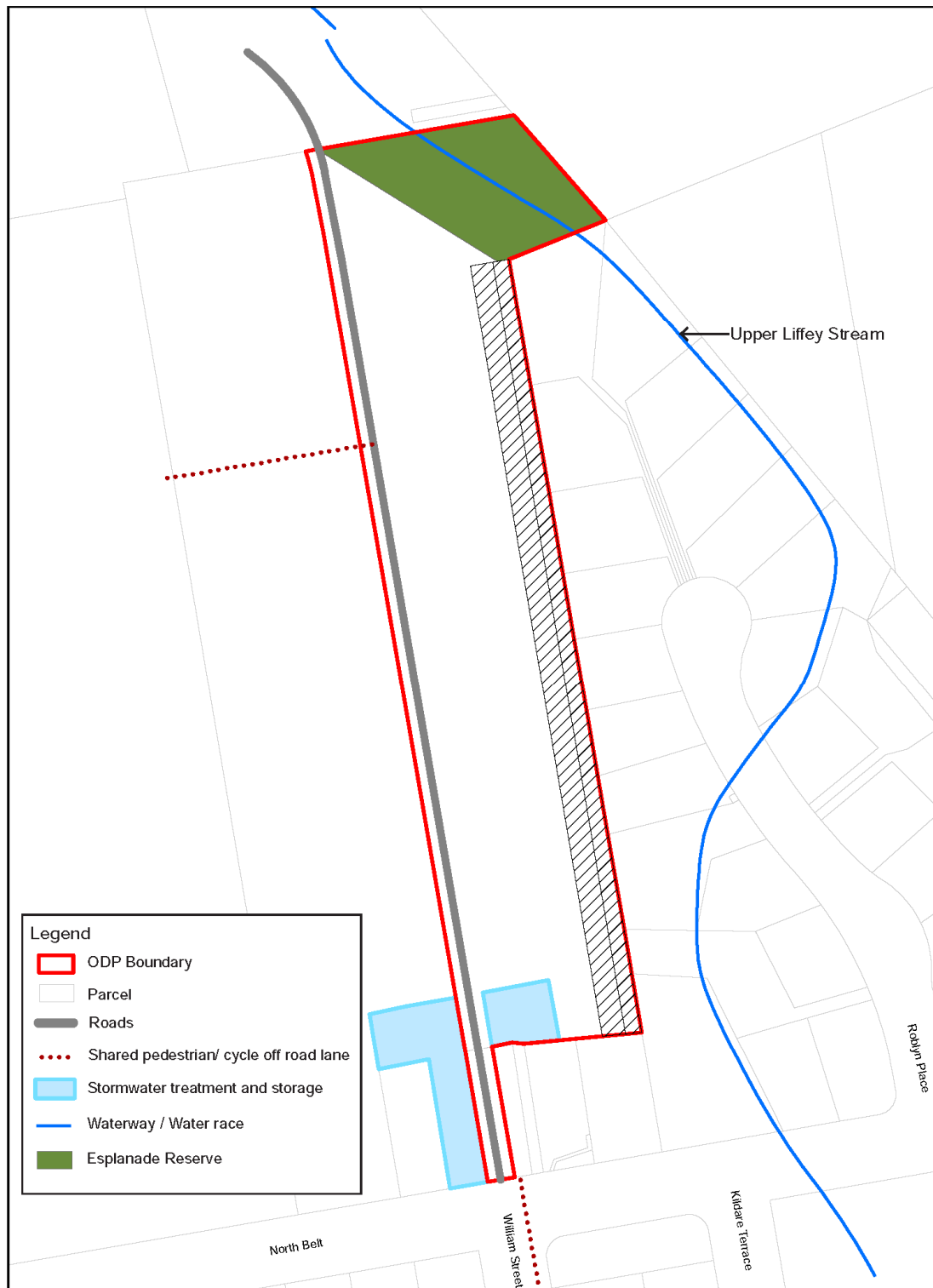


Outline Development Plan

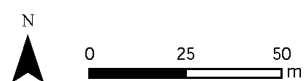
Area 6 - Lincoln

Blue Network





- Legend**
- ODP Boundary
 - Parcel
 - Roads
 - Shared pedestrian/ cycle off road lane
 - Stormwater treatment and storage
 - Waterway / Water race
 - Esplanade Reserve



Outline Development Plan
Area 6 - Lincoln
Green Network

